

PHA 5-Year and Annual Plan	U.S. Department of Housing and Urban Development Office of Public and Indian Housing	OMB No. 2577-0226 Expires 4/30/2011
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1.0	PHA Information PHA Name: <u>Fayette County Housing Authority</u> PHA Code: <u>PA. 015</u> PHA Type: <input type="checkbox"/> Small <input type="checkbox"/> High Performing <input checked="" type="checkbox"/> Standard <input type="checkbox"/> HCV (Section 8) PHA Fiscal Year Beginning: (MM/YYYY): <u>7-11</u>				
2.0	Inventory (based on ACC units at time of FY beginning in 1.0 above) Number of PH units: <u>1249</u> Number of HCV units: <u>1080</u>				
3.0	Submission Type <input checked="" type="checkbox"/> 5-Year and Annual Plan <input type="checkbox"/> Annual Plan Only <input type="checkbox"/> 5-Year Plan Only				
4.0	PHA Consortia <input type="checkbox"/> PHA Consortia: (Check box if submitting a joint Plan and complete table below.)				
	Participating PHAs	PHA Code	Program(s) Included in the Consortia	Programs Not in the Consortia	No. of Units in Each Program PH HCV
	PHA 1:				
	PHA 2:				
	PHA 3:				
5.0	5-Year Plan. Complete items 5.1 and 5.2 only at 5-Year Plan update.				
5.1	Mission. State the PHA's Mission for serving the needs of low-income, very low-income, and extremely low income families in the PHA's jurisdiction for the next five years: The mission of FCHA is to maintain, manage and develop affordable and safe assisted housing for residents of Fayette County, and to do so with a commitment to the highest Standard of customer service.				
5.2	Goals and Objectives. Identify the PHA's quantifiable goals and objectives that will enable the PHA to serve the needs of low-income and very low-income, and extremely low-income families for the next five years. Include a report on the progress the PHA has made in meeting the goals and objectives described in the previous 5-Year Plan. 1. Reduce public housing vacancies 2. Leverage private or other public funds to create additional housing opportunities. 3. Acquire or build units or developments. 4. Improve public management. 5. Improve voucher management. 6. Improve customer satisfaction. 7. See attachment.pa015a004				
6.0	PHA Plan Update (a) Identify all PHA Plan elements that have been revised by the PHA since its last Annual Plan submission: FCHA implemented its new 2010-2020 Strategic Plan (b) Identify the specific location(s) where the public may obtain copies of the 5-Year and Annual PHA Plan. For a complete list of PHA Plan elements, see Section 6.0 of the instructions: 1: The site office at each Amp. 2: The Main Administration office.				
7.0	Hope VI, Mixed Finance Modernization or Development, Demolition and/or Disposition, Conversion of Public Housing, Homeownership Programs, and Project-based Vouchers. Include statements related to these programs as applicable. <i>See attachment pa015a006 & pa015a005</i>				
8.0	Capital Improvements. Please complete Parts 8.1 through 8.3, as applicable.				
8.1	Capital Fund Program Annual Statement/Performance and Evaluation Report. As part of the PHA 5-Year and Annual Plan, annually complete and submit the <i>Capital Fund Program Annual Statement/Performance and Evaluation Report</i> , form HUD-50075.1, for each current and open CFP grant and CFFP financing. See attachment: pa015a001 & pa015a003				
8.2	Capital Fund Program Five-Year Action Plan. As part of the submission of the Annual Plan, PHAs must complete and submit the <i>Capital Fund Program Five-Year Action Plan</i> , form HUD-50075.2, and subsequent annual updates (on a rolling basis, e.g., drop current year, and add latest year for a five year period). Large capital items must be included in the Five-Year Action Plan. <i>See attachment pa015a002</i>				
8.3	Capital Fund Financing Program (CFFP). <input checked="" type="checkbox"/> Check if the PHA proposes to use any portion of its Capital Fund Program (CFP)/Replacement Housing Factor (RHF) to repay debt incurred to finance capital improvements.				

9.0	Housing Needs. Based on information provided by the applicable Consolidated Plan, information provided by HUD, and other generally available data, make a reasonable effort to identify the housing needs of the low-income, very low-income, and extremely low-income families who reside in the jurisdiction served by the PHA, including elderly families, families with disabilities, and households of various races and ethnic groups, and other families who are on the public housing and Section 8 tenant-based assistance waiting lists. The identification of housing needs must address issues of affordability, supply, quality, accessibility, size of units, and location. See attachment pa015a006
9.1	Strategy for Addressing Housing Needs. Provide a brief description of the PHA's strategy for addressing the housing needs of families in the jurisdiction and on the waiting list in the upcoming year. Note: Small, Section 8 only, and High Performing PHAs complete only for Annual Plan submission with the 5-Year Plan.
10.0	<p>Additional Information. Describe the following, as well as any additional information HUD has requested.</p> <p>(a) Progress in Meeting Mission and Goals. Provide a brief statement of the PHA's progress in meeting the mission and goals described in the 5-Year Plan. See attachment: pa015a004</p> <p>(b) Significant Amendment and Substantial Deviation/Modification. Provide the PHA's definition of "significant amendment" and "substantial deviation/modification" See attachment: pa015a007</p>
11.0	<p>Required Submission for HUD Field Office Review. In addition to the PHA Plan template (HUD-50075), PHAs must submit the following documents. Items (a) through (g) may be submitted with signature by mail or electronically with scanned signatures, but electronic submission is encouraged. Items (h) through (i) must be attached electronically with the PHA Plan. Note: Faxed copies of these documents will not be accepted by the Field Office. See attachment pa015a022</p> <p>(a) Form HUD-50077, <i>PHA Certifications of Compliance with the PHA Plans and Related Regulations</i> (which includes all certifications relating to Civil Rights)</p> <p>(b) Form HUD-50070, <i>Certification for a Drug-Free Workplace</i> (PHAs receiving CFP grants only)</p> <p>(c) Form HUD-50071, <i>Certification of Payments to Influence Federal Transactions</i> (PHAs receiving CFP grants only)</p> <p>(d) Form SF-LLL, <i>Disclosure of Lobbying Activities</i> (PHAs receiving CFP grants only)</p> <p>(e) Form SF-LLL-A, <i>Disclosure of Lobbying Activities Continuation Sheet</i> (PHAs receiving CFP grants only)</p> <p>(f) Resident Advisory Board (RAB) comments. Comments received from the RAB must be submitted by the PHA as an attachment to the PHA Plan. PHAs must also include a narrative describing their analysis of the recommendations and the decisions made on these recommendations.</p> <p>(g) Challenged Elements</p> <p>(h) Form HUD-50075.1, <i>Capital Fund Program Annual Statement/Performance and Evaluation Report</i> (PHAs receiving CFP grants only)</p> <p>(i) Form HUD-50075.2, <i>Capital Fund Program Five-Year Action Plan</i> (PHAs receiving CFP grants only)</p>

This information collection is authorized by Section 511 of the Quality Housing and Work Responsibility Act, which added a new section 5A to the U.S. Housing Act of 1937, as amended, which introduced 5-Year and Annual PHA Plans. The 5-Year and Annual PHA plans provide a ready source for interested parties to locate basic PHA policies, rules, and requirements concerning the PHA's operations, programs, and services, and informs HUD, families served by the PHA, and members of the public of the PHA's mission and strategies for serving the needs of low-income and very low-income families. This form is to be used by all PHA types for submission of the 5-Year and Annual Plans to HUD. Public reporting burden for this information collection is estimated to average 12.68 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. HUD may not collect this information, and respondents are not required to complete this form, unless it displays a currently valid OMB Control Number.

Privacy Act Notice. The United States Department of Housing and Urban Development is authorized to solicit the information requested in this form by virtue of Title 12, U.S. Code, Section 1701 et seq., and regulations promulgated thereunder at Title 12, Code of Federal Regulations. Responses to the collection of information are required to obtain a benefit or to retain a benefit. The information requested does not lend itself to confidentiality

Instructions form HUD-50075

Applicability. This form is to be used by all Public Housing Agencies (PHAs) with Fiscal Year beginning April 1, 2008 for the submission of their 5-Year and Annual Plan in accordance with 24 CFR Part 903. The previous version may be used only through April 30, 2008.

1.0 PHA Information

Include the full PHA name, PHA code, PHA type, and PHA Fiscal Year Beginning (MM/YYYY).

2.0 Inventory

Under each program, enter the number of Annual Contributions Contract (ACC) Public Housing (PH) and Section 8 units (HCV).

3.0 Submission Type

Indicate whether this submission is for an Annual and Five Year Plan, Annual Plan only, or 5-Year Plan only.

4.0 PHA Consortia

Check box if submitting a Joint PHA Plan and complete the table.

5.0 Five-Year Plan

Identify the PHA's Mission, Goals and/or Objectives (24 CFR 903.6). Complete only at 5-Year update.

5.1 Mission. A statement of the mission of the public housing agency for serving the needs of low-income, very low-income, and extremely low-income families in the jurisdiction of the PHA during the years covered under the plan.

5.2 Goals and Objectives. Identify quantifiable goals and objectives that will enable the PHA to serve the needs of low income, very low-income, and extremely low-income families.

6.0 PHA Plan Update. In addition to the items captured in the Plan template, PHAs must have the elements listed below readily available to the public. Additionally, a PHA must:

- (a) Identify specifically which plan elements have been revised since the PHA's prior plan submission.
- (b) Identify where the 5-Year and Annual Plan may be obtained by the public. At a minimum, PHAs must post PHA Plans, including updates, at each **1.Asset Management Project (AMP) and main office or central off ice of the PHA.** PHAs are strongly encouraged to post complete PHA Plans on its official website. PHAs are also encouraged to provide each resident council a copy of its 5-Year and Annual Plan.

PHA Plan Elements. (24 CFR 903.7)

1. **Eligibility, Selection and Admissions Policies, including Deconcentration and Wait List Procedures.** Describe the PHA's policies that govern resident or tenant eligibility, selection and admission including admission preferences for both public housing and HCV and unit assignment policies for public housing; and procedures for maintaining waiting lists for admission to public housing and address any site-based waiting lists. **See attachments pa015a008, pa015a009**

2. **Financial Resources.** A statement of financial resources, including a listing by general categories, of the PHA's anticipated resources, such as PHA Operating, Capital and other anticipated Federal resources available to the PHA, as well as tenant rents and other income available to support public housing or tenant-based assistance. The statement also should include the non-Federal sources of funds supporting each Federal program, and state the planned use for the resources. **See attachment pa015a015a010**

3. **Rent Determination.** A statement of the policies of the PHA governing rents charged for public housing and HCV dwelling units. **See attachment : Pa015a011 & pa015a012**

4. **Operation and Management.** A statement of the rules, standards, and policies of the PHA governing maintenance management of housing owned, assisted, or operated by the public housing agency (which shall include measures necessary for the prevention or eradication of pest infestation, including cockroaches), and management of the PHA and programs of the PHA. **See attachment: pa015a013**

5. **Grievance Procedures.** A description of the grievance and informal hearing and review procedures that the PHA makes available to its residents and applicants. **See attachment: pa015a014**

6. **Designated Housing for Elderly and Disabled Families.** With respect to public housing projects owned, assisted, or operated by the PHA, describe any projects (or portions thereof), in the upcoming fiscal year, that the PHA has designated or will apply for designation for occupancy by elderly and disabled families. The description shall include the following information: **1)** development name and number; **2)** designation type; **3)** application status; **4)** date the designation was approved, submitted, or planned for submission, and; **5)** the number of units affected. **See attachment: pa015a015**

7. **Community Service and Self-Sufficiency.** A description of: **(1)** Any programs relating to services and amenities provided or offered to assisted families; **(2)** Any policies or programs of the PHA for the enhancement of the economic and social self-sufficiency of assisted families, including programs under Section 3 and FSS; **(3)** How the PHA will comply with the requirements of community service and treatment of income changes resulting from welfare program requirements. **(Note: applies to only public housing).** **See attachment pa015a016**

8. **Safety and Crime Prevention.** For public housing only, describe the PHA's plan for safety and crime prevention to ensure the safety of the public housing residents. The statement must include: (i) A description of the need for measures to ensure the safety of public housing residents;

(ii) A description of any crime prevention activities conducted or to be conducted by the PHA; and (iii) A description of the coordination between the PHA and the appropriate police precincts for carrying out crime prevention measures and activities. **See attachment pa015a016**

9. **Pets.** A statement describing the PHAs policies and requirements pertaining to the ownership of pets in public housing. **See attachment pa015a017**

10. **Civil Rights Certification.** A PHA will be considered in compliance with the Civil Rights and AFFH Certification if: it can document that it examines its programs and proposed programs to identify any impediments to fair housing choice within those programs; addresses those impediments in a reasonable fashion in view of the resources available; works with the local jurisdiction to implement any of the jurisdiction's initiatives to affirmatively further fair housing; and assures that the annual plan is consistent with any applicable Consolidated Plan for its jurisdiction.

11. **Fiscal Year Audit.** The results of the most recent fiscal year audit for the PHA. **See attachment: pa015a018**

12. **Asset Management.** A statement of how the agency will carry out its asset management functions with respect to the public housing inventory of the agency, including how the agency will plan for the long-term operating, capital investment, rehabilitation, modernization, disposition, and other needs for such inventory. **See attachment: pa015a019**

13. **Violence Against Women Act (VAWA).** A description of: 1) Any activities, services, or programs provided or offered by an agency, either directly or in partnership with other service providers, to child or adult victims of domestic violence, dating violence, sexual assault, or stalking; 2) Any activities, services, or programs provided or offered by a PHA that helps child and adult victims of domestic violence, dating violence, sexual assault, or stalking, to obtain or maintain housing; and 3) Any activities, services, or programs provided or offered by a public housing agency to prevent domestic violence, dating violence, sexual assault, and stalking, or to enhance victim safety in assisted families. **See attachment pa015a020**

7.0 Hope VI, Mixed Finance Modernization or Development, Demolition and/or Disposition, Conversion of Public Housing, Homeownership Programs, and Project-based Vouchers

- (a) **Hope VI or Mixed Finance Modernization or Development.** 1) A description of any housing (including project number (if known) and unit count) for which the PHA will apply for HOPE VI or Mixed Finance Modernization or Development; and 2) A timetable for the submission of applications or proposals. The application and approval process for Hope VI, Mixed Finance Modernization or Development, is a separate process. See guidance on HUD's website at: **See attachment: pa015a005** <http://www.hud.gov/offices/pih/programs/ph/hope6/index.cfm>
- (b) **Demolition and/or Disposition.** With respect to public housing projects owned by the PHA and subject to ACCs under the Act: (1) A description of any housing (including project number and unit numbers [or addresses]), and the number of affected units along with their sizes and accessibility features) for which the PHA will apply or is currently pending for demolition or disposition; and (2) A timetable for the demolition or disposition. The application and approval process for demolition and/or disposition is a separate process. See guidance on HUD's website at: http://www.hud.gov/offices/pih/centers/sac/demo_dispo/index.cfm

[fm](#)

Note: This statement must be submitted to the extent **that approved and/or pending demolition and/or disposition has changed. See attachment pa015a005**

- (c) **Conversion of Public Housing.** With respect to public housing owned by a PHA: 1) A description of any building or buildings (including project number and unit count) that the PHA is required to convert to tenant-based assistance or that the public housing agency plans to voluntarily convert; 2) An analysis of the projects or buildings required to be converted; and 3) A statement of the amount of assistance received under this chapter to be used for rental assistance or other housing assistance in connection with such conversion. See guidance on HUD's website at: <http://www.hud.gov/offices/pih/centers/sac/conversion.cfm>
- (d) **Homeownership.** A description of any homeownership (including project number and unit count) administered by the agency or for which the PHA has applied or will apply for approval.
- (e) **Project-based Vouchers.** If the PHA wishes to use the project-based voucher program, a statement of the projected number of project-based units and general locations and how project basing would be consistent with its PHA Plan.

8.0 **Capital Improvements.** This section provides information on a PHA's Capital Fund Program. With respect to public housing projects owned, assisted, or operated by the public housing agency, a plan describing the capital improvements necessary to ensure long-term physical and social viability of the projects must be completed along with the required forms. Items identified in 8.1 through 8.3, must be signed where directed and transmitted electronically along with the PHA's Annual Plan submission.

8.1 **Capital Fund Program Annual Statement/Performance and Evaluation Report.** PHAs must complete the *Capital Fund Program Annual Statement/Performance and Evaluation Report* (form HUD-50075.1), for each Capital Fund Program (CFP) to be undertaken with the current year's CFP funds or with CFFP proceeds. Additionally, the form shall be used for the following purposes: **See attachments: pa015a001 & pa015a003**

- (a) To submit the initial budget for a new grant or CFFP;
- (b) To report on the Performance and Evaluation Report progress on any open grants previously funded or CFFP; and
- (c) To record a budget revision on a previously approved open grant or CFFP, e.g., additions or deletions of work items, modification of budgeted amounts that have been undertaken since the submission of the last Annual Plan. The Capital Fund Program Annual Statement/Performance and Evaluation Report must be submitted annually.

Additionally, PHAs shall complete the Performance and Evaluation Report section (see footnote 2) of the *Capital Fund Program Annual Statement/Performance and Evaluation* (form HUD-50075.1), at the following times:

1. At the end of the program year; until the program is completed or all funds are expended;
2. When revisions to the Annual Statement are made, which do not require prior HUD approval, (e.g., expenditures for emergency work, revisions resulting from the PHAs application of fungibility); and
3. Upon completion or termination of the activities funded in a specific capital fund program year.

8.2 Capital Fund Program Five-Year Action Plan

PHAs must submit the *Capital Fund Program Five-Year Action Plan* (form HUD-50075.2) for the entire PHA portfolio for the first year of participation in the CFP and annual update thereafter to eliminate the previous year and to add a new fifth year (rolling basis) so that the form always covers the present five-year period beginning with the current year. **See attachment pa015a002**

8.3 Capital Fund Financing Program (CFFP). Separate, written HUD approval is required if the PHA proposes to pledge any portion of its CFP/RHF funds to repay debt incurred to finance capital improvements. The PHA must identify in its Annual and 5-year capital plans the amount of the annual payments required to service the debt. The PHA must also submit an annual statement detailing the use of the CFFP proceeds. See guidance on HUD's website at: **See attachment pa015a003**
<http://www.hud.gov/offices/pih/programs/ph/capfund/cffp.cfm>

9.0 Housing Needs Provide a statement of the housing needs of families residing in the jurisdiction served by the PHA and the means by which the PHA intends, to the maximum extent practicable, to address those needs. (**Note:** Standard and Troubled PHAs complete annually; Small and High Performers complete only for Annual Plan submitted with the 5-Year Plan). **See attachment pa015a006**

9.1 Strategy for Addressing Housing Needs. Provide a description of the PHA's strategy for addressing the housing needs of families in the jurisdiction and on the waiting list in the upcoming year. (**Note:** Standard and Troubled PHAs complete annually; Small and High Performers complete only for Annual Plan submitted with the 5-Year Plan). **See attachment pa015a006**

10.0 Additional Information. Describe the following, as well as any additional information requested by HUD:

- (a) **Progress in Meeting Mission and Goals.** PHAs must include (i) a statement of the PHAs progress in meeting the mission and goals described in the 5-Year Plan; (ii) the basic criteria the PHA will use for determining a significant amendment from its 5-year Plan; and a significant amendment or modification to its 5-Year Plan and Annual Plan. (**Note:** Standard and Troubled PHAs complete annually; Small and High Performers complete only for Annual Plan submitted with the 5-Year Plan). **See attachment: pa015a004**
- (b) **Significant Amendment and Substantial Deviation/Modification.** PHA must provide the definition

of "significant amendment" and "substantial deviation/modification". (**Note: Standard and Troubled PHAs complete annually; Small and High Performers complete only for Annual Plan submitted with the 5-Year Plan.**) **See attachment pa015a007**

- (c) PHAs must include or reference any applicable memorandum of agreement with HUD or any plan to improve performance. (**Note: Standard and Troubled PHAs complete annually.**)

11.0 Required Submission for HUD Field Office Review. In order to be a complete package, PHAs must submit items (a) through (g), with signature by mail or electronically with scanned signatures. Items (h) and (i) shall be submitted electronically as an attachment to the PHA Plan. **See attachment pa015a022**

- (a) Form HUD-50077, *PHA Certifications of Compliance with the PHA Plans and Related Regulations*
- (b) Form HUD-50070, *Certification for a Drug-Free Workplace (PHAs receiving CFP grants only)*
- (c) Form HUD-50071, *Certification of Payments to Influence Federal Transactions (PHAs receiving CFP grants only)*
- (d) Form SF-LLL, *Disclosure of Lobbying Activities (PHAs receiving CFP grants only)*
- (e) Form SF-LLL-A, *Disclosure of Lobbying Activities Continuation Sheet (PHAs receiving CFP grants only)*
- (f) Resident Advisory Board (RAB) comments. **See attachment pa015a021**
- (g) Challenged Elements. Include any element(s) of the PHA Plan that is challenged.
- (h) Form HUD-50075.1, *Capital Fund Program Annual Statement/Performance and Evaluation Report (Must be attached electronically for PHAs receiving CFP grants only)*. See instructions in 8.1. **See attachment pa015a001**
- (i) Form HUD-50075.2, *Capital Fund Program Five-Year Action Plan (Must be attached electronically for PHAs receiving CFP grants only)*. See instructions in 8.2.: **See attachment pa015a002**

Annual Statement/Performance and Evaluation Report
Capital Fund Program, Capital Fund Program Replacement Housing Factor and
Capital Fund Financing Program

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing
OMB No. 2577-0226
Expires 4/30/2011

Part I: Summary

PHA Name: Fayette County Housing Authority
Grant Type and Number: Capital Fund Program Grant No: PA28P01550111
Replacement Housing Factor Grant No:

Federal FY of Grant: 2011
FFY of Grant Approval:

Date of CFFP:

Type of Grant
☐ Original Annual Statement
☐ Reserver for Disasters/Emergencies
☐ Performance and Evaluation Report for Period Ending

☐ Revised Annual Statement (revision no:)
☐ Final Performance and Evaluation Report

Line	No.	Summary by Development Account	Original	Total Estimated Cost	Revised ²	Obligated	Total Actual Cost ¹	Expended
1		Total non-CFP Funds						
2		1406 Operations (may not exceed 20% of line 21) ³	\$ -	\$ -	\$ -	\$ -	\$ -	0.00
3		1408 Management Improvements	\$ 120,000	0.00	0.00	0.00	0.00	0.00
4		1410 Administration (may not exceed 10% of line 21)	\$ 200,000	0.00	0.00	0.00	0.00	0.00
5		1411 Audit	\$ 5,000	0.00	0.00	0.00	0.00	0.00
6		1415 Liquidated Damages	\$ -	0.00	0.00	0.00	0.00	0.00
7		1430 Fees and Costs	\$ 275,000	0.00	0.00	0.00	0.00	0.00
8		1440 Site Acquisition	\$ 50,000	0.00	0.00	0.00	0.00	0.00
9		1450 Site Improvement	\$ 100,000	0.00	0.00	0.00	0.00	0.00
10		1460 Dwelling Structures	\$ 990,000	0.00	0.00	0.00	0.00	0.00
11		1465 1 Dwelling Equipment—Nonexpendable	\$ 10,000	0.00	0.00	0.00	0.00	0.00
12		1470 Non-dwelling Structures	\$ 70,000	0.00	0.00	0.00	0.00	0.00
13		1475 Non-dwelling Equipment	\$ 30,000	0.00	0.00	0.00	0.00	0.00
14		1485 Demolition	\$ 30,000	0.00	0.00	0.00	0.00	0.00
15		1492 Moving to Work Demonstration	\$ -	0.00	0.00	0.00	0.00	0.00
16		1495 1 Relocation Costs	\$ 20,000	0.00	0.00	0.00	0.00	0.00
17		1499 Development Activities ⁴	\$ 50,000	0.00	0.00	0.00	0.00	0.00
18		1501 Collateralization of Debt Service paid by PHA	\$ -	0.00	0.00	0.00	0.00	0.00
18a		9000 Collateralization of Debt Service paid Via System of Direct Payment	\$ 50,000	0.00	0.00	0.00	0.00	0.00
19		1502 Contingency (may not exceed 8% of line 20)	\$ -	0.00	0.00	0.00	0.00	0.00
21		Amount of Annual Grant: (sum of lines 2-19)	\$ 2,000,000	0.00	0.00	0.00	0.00	0.00
22		Contingency Account Compared to Construction Accounts						
23		Amount of line 20 Related to LBP Activities						
24		Amount of line 20 Related to Section 504 Activities	\$ 665,000.00	\$ -	\$ -	\$ -	\$ -	-
25		Amount of line 20 Related to Security -Soft Costs	\$ 70,000.00					
26		Amount of line 20 Related to Security--Hard Costs						
27		Amount of line 20 Related to Energy Conservation Measures	\$ 154,000.00					
Signature of Executive Director			Date		Signature of Public Housing Director		Date	
<i>[Signature]</i>			4-13-11					

¹ To be completed for the Performance and Evaluation Report.
² To be completed for the Performance and Evaluation Report or a Revised Annual Statement.
³ PHAs with under 250 units in management may use 100% of CFP Grants for Operations.
⁴ RHF Funds shall be included here.

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing
OMB No. 2577-0226
Expires 4/30/2011

2011

² To be completed for the Performance and Evaluation Report.

Office of Public and Indian Housing
OMB No. 2577-0226
Expires 4/30/2011

Federal FFY of Grant: 2011

Federal FFY of Grant: 2011

[illegible]

Capital Fund Program, Capital Fund Program Replacement Housing Factor and
Capital Fund Financing Program

Office of Public and Indian Housing
OMB No. 2577-0226
Expires 4/30/2011

Part II: Supporting Pages

PHA Name: Fayette County Housing Authority		Grant Type and Number Capital Fund Program Grant No: PA28P01550111		CFFP (Yes/No):		No		Federal FFY of Grant: 2011							
Development Number Name/PHA-Wide Activities		General Description of Major Work Categories		Development Account No.		Quantity		Total Estimated Cost		Total Actual Cost		Status of Work			
								Original		Revised ¹		Funds Obligated ²		Funds Expended ²	
HA-Wide															
Mgmt. Improve.		1. Travel/training		1408				\$30,000.00		\$0.00		\$0.00			
AMPS 1-5		2. Computer software		1408				\$10,000.00		\$0.00		\$0.00			
		3. Scanning documents		1408				\$10,000.00		\$0.00		\$0.00			
		4. Security		1408				\$70,000.00		\$0.00		\$0.00			
Administration		1. Central office cost		1410				\$200,000.00		\$0.00		\$0.00			
		2. Audit		1411				\$5,000.00		\$0.00		\$0.00			
Fees & Costs		1. Architectural & engineering		1430				\$80,000.00		\$0.00		\$0.00			
		2. Financial consultants		1430				\$20,000.00		\$0.00		\$0.00			
		3. Legal fees		1430				\$10,000.00		\$0.00		\$0.00			
		4. Applications/planning services/consultants		1430				\$15,000.00		\$0.00		\$0.00			
		AMP 1-5													
		5. Construction inspectors		1430				\$150,000.00		\$0.00		\$0.00			
Dwelling Equip.		Appliances/refrig. ranges, water heaters		1465.1				\$10,000.00		\$0.00		\$0.00			
AMP 1-5															
Non-Dwelling		1. Computer hardware		1475				\$20,000.00		\$0.00		\$0.00			
Equipment		2. Office equipment		1475				\$10,000.00		\$0.00		\$0.00			
PHA-Wide		1. Relocation		1495.1				\$20,000.00		\$0.00		\$0.00			
Laurel Estates		CFFP Debt Service		9000		56 units		\$50,000.00		\$0.00		\$0.00			

¹ To be completed for the Performance and Evaluation Report or a Revised Annual Statement.
² To be completed for the Performance and Evaluation Report.

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing
OMB No. 2577-0226
Expires 4/30/2011

Federal FFY of Grant: 2011

Federal FFY of Grant: 2011

[illegible]

Obligation and expenditure end date can only be revised with HUD approval pursuant to Section 9j of the U.S. Housing Act of 1937, as amended.

Capital Fund Program - Five Year Plan

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing
OMB No. 2577-0226
Expires 4/30/2011

Part I: Summary

PHA Name/Number :Fayette Co. Housing Auth.		Locality (City/County & State):Fayette		<input checked="" type="checkbox"/> Original 5-Year Plan	<input type="checkbox"/> Revision No:	
A.	Development Number and Name	Work Statement for Year 1 7/1/2011	Work Statement for Year 2 7/1/2012	Work Statement for Year 3 7/1/2013	Work Statement for Year 4 7/1/2014	Work Statement for Year 5 7/1/2015
			15-15- Clarence Hess Amp-4 15-9 Snowden Amp-5 15-11 Mulligan Manor Amp-1 15-16 Belle Vernon Amp-1 15-8 Marion Villa 15-13 Marshall Manor Amp-1 HA-WIDE	15-22 Scattered Sites Amp-2 15-11 Mulligan Manor Amp-1 15-2 Crossland Amp-2 15-17 SemPOWER Amp-2 HA-WIDE	15-6 Fort Mason Amp-4 15-26 Outcrop Amp-4 HA-WIDE	15-24 Lemont Heights Amp-3 15-10 East View Amp-2 Administration Bldg HA-WIDE
B.	Physical Improvements Subtotal	Annual Statement	1,554,000	1,302,000	1,187,000	1,365,000
C.	Management Improvements		120,000	95,000	105,000	105,000
D.	PHA-Wide Non-dwelling		25,000	30,000	20,000	20,000
E.	Administration		200,000	200,000	200,000	200,000
F.	Other		265,000	280,000	160,000	235,000
G.	Operations					
H.	Demolition					
I.	Development					
J.	Capital Fund Financing – Debt Service		150,000	350,000	350,000	150,000
K.	Total CFP Funds					
L.	Total Non-CFP Funds					
M.	Grand Total		2,314,000	2,257,000	2,022,000	2,075,000

Capital Fund Program - Five Year Plan

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing
OMB No. 2577-0226
Expires 4/30/2011

Part II: Supporting Pages – Physical Needs Work Statement(s)

Work Statement For Year 1 FFY _____	Work Statement for Year 2 FFY 7/1/2012			Work Statement for Year 2 FFY 7/1/12		
	Development Number/Name General Description of Major Work Categories	Quantity	Estimated Cost	Development Number/Name General Description of Major Work Categories	Quantity	Estimated Cost
See	15-15 Clarence Hess			15-11 Mulligan Manor Amp-1		
Annual	Rehab 47 units			Replace Roof	1	\$ 100,000
Statement	Replace Roofs/Metals	47 units	\$150,000	Replace HVAC	1	\$ 20,000
	Landscape /Drainage	Site Wide	\$84,000	15-16 Belle Vernon Amp-1		
	Retaining Walls	Site Wide	\$100,000	Replace Roof	1	\$ 100,000
	Replace siding	47 units	\$120,000	Replace HVAC	1	\$ 20,000
	Concrete/Paving	Site Wide	\$100,000	15-13 Marshall Manor Amp-1		
	Doors/Windows/Trim	47 units	\$120,000	Replace Windows	100 units	\$ 100,000
				Landscaping	Site Wide	\$ 25,000
				Site lighting	Site Wide	\$ 20,000
				Replace phone entry system	1 bldg	\$ 25,000
				HA-WIDE		
				CFEP Dept Service		\$ 150,000
	15-9 Snowden Terrace			Management Imp.		
				Security		\$ 60,000
	Copconrete/Paving	Site wide	\$60,000	Travel/Training		\$ 30,000
	Lighting	Site Wide	\$10,000	Tenant Initiatives		\$ 5,000
	Landscape/Drainage	Site wide	\$70,000	Computer Software		\$ 20,000
	Replace Water Main	Site wide	\$80,000	Administration		\$ 200,000
	Replace roofs	12 bldgs	\$50,000	Audit		\$ 5,000
	Gutters/Downspouts	12 bldgs	\$10,000	Fees & Cost		
	Metals	12bldgs	\$40,000	Architect/Engineers		\$ 100,000
	15-8 Marion Viia			Financial Consultants		\$ 20,000

Capital Fund Program - Five Year Plan

U.S. Department of Housing and Urban Development

Office of Public and Indian Housing

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Expires 4/30/2011

Part II: Supporting Pages – Physical Needs Work Statement(s)

Work Statement For Year 1 FFY _____	Work Statement for Year ____3____ FFY ____2013____			Work Statement for Year ____3____ FFY ____2013____		
	Development Number/Name General Description of Major Work Categories	Quantity	Estimated Cost	Development Number/Name General Description of Major Work Categories	Quantity	Estimated Cost
See	15-22 Scattered Sites Amp-2	Rehab of 8 units		HA-WIDE		
Annual	Kitchens	8	\$ 30,000	Management Imp.		
Statement	Bathrooms	8	\$ 32,000	Security		\$ 60,000
	Gutters/Downspouts	8	\$ 10,000	Travel/Training		\$ 20,000
	Repace Roofs	8	\$ 60,000	Tenant Initiatives		\$ 5,000
	Interior finishes	8	\$ 60,000	Computer Software		\$ 10,000
	Exterior finishes	8	\$ 100,000	Administration		\$ 200,000
	Plumbing upgrades	8	\$ 65,000	Audit		\$ 5,000
	Electrical upgrades	8	\$ 40,000	Fees & Cost		
	HVAC upgrades	8	\$ 32,000	Architect/Engineers		\$ 100,000
	Concrete/Paving	8	\$ 40,000	Financial Consultants		\$ 20,000
	Landscape/Drainage	8	\$ 32,000	Legal Fees		\$ 10,000
	Doors/Windows	8	\$ 32,000	Application/Planbning Services		\$ 20,000
	15-11 Mulligan Manor Amp-1			Construction Inspector		\$ 80,000
				Dwelling Equip.		
	Replace Windows	1-bldg	\$ 150,000	Appliances Amps 1-5		\$ 30,000
	Replace Trash compactor	1	\$ 20,000	.Non-Dwelling Equip.		
	15-2 Crossland Amp-2			Computer Hardware		\$ 20,000
	Replace	8-bldgs	\$ 160,000	Office Equip.		\$ 10,000
	Roofs,gutters,downspout,Siding			HA-WIDE		
	Replace Windows	8-bldgs	\$ 60,000	CFHP Dept Service		\$ 350,000
	Replace Playground	1	\$ 10,000	Relocation		\$ 20,000

Capital Fund Program - Five Year Plan

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing
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Part II: Supporting Pages – Physical Needs Work Statement(s)

Work Statement For Year 1 FFY _____	Work Statement for Year 4 _____ FFY 2014 _____			Work Statement for Year 4 _____ FFY 2014 _____		
	Development Number/Name General Description of Major Work Categories	Quantity	Estimated Cost	Development Number/Name General Description of Major Work Categories	Quantity	Estimated Cost
See _____				Managements Imp.		
				Security		\$ 70,000
Annual Statement				Travel/Training		\$ 20,000
				Computer Software		\$ 10,000
				Tenant Initiatives		\$ 5,000
				Administration		\$ 200,000
				Audit		\$ 5,000
	15-6 Fort Mason Amp-4			Fees & Cost		
	Kitchens	66 units	\$ 200,000	Architect & Engineer		\$ 100,000
	Bathrooms	66 units	\$ 150,000	Financial Consultants		\$ 20,000
	Doors	66 units	\$ 100,000	Legal Fees		\$ 10,000
	Windows	66 units	\$ 120,000	Application Planning Services		\$ 10,000
	Interior Finishes	66 units	\$ 130,000			
	Exterior Finishes	10 bldgs				
	Roofs/Metals	10-bldgs	\$ 80,000	Construction Inspector		\$ 80,000
	Replace Hvac units	66 units	\$ 111,000	Non-Dwelling Equip.		
	Concrete/Paving	Site wide	\$ 80,000	Computer Hardware		\$ 10,000
	Landscape/Drainage	Site Wide	\$ 30,000	Office Equipment		\$ 10,000
	Site Work	Site Wide	\$ 20,000			
	15-26 Outcrop 1 Amp-4					
	Replace Doors	32 units	\$ 32,000	Dwelling Equip.		
	Replace Hvac units	32 units	\$ 64,000	Appliances Amps 1-5		\$ 15,000
	Paving	32 units	\$ 40,000	HA-WIDE		
	Landscape/Drainage	32 units	\$ 30,000	CRFP Dept Service		\$ 300,000
				Relocation		\$ 10,000

Capital Fund Program - Five Year Plan

U.S. Department of Housing and Urban Development

Office of Public and Indian Housing

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Expires 4/30/2011

Part II: Supporting Pages – Physical Needs Work Statement(s)

Work Statement For Year 1 FFY _____	Work Statement for Year _____ 5 _____ FFY _____ 2015 _____			Work Statement for Year _____ 5 _____ FFY _____ 2015 _____		
	Development Number/Name General Description of Major Work Categories	Quantity	Estimated Cost	Development Number/Name General Description of Major Work Categories	Quantity	Estimated Cost
See	15-24 Lemont Heights Amp-3			HA-WIDE		
Annual	504 Upgrades	2 units		Management Imp.		
	Kitchens	22	\$ 110,000	Security		\$ 70,000
	Bathrooms	22 units	\$ 85,000	Travel/Training		\$ 20,000
Statement				Tenant Initiatives		\$ 5,000
	Doors	22 units	\$ 30,000	Computer Software		\$ 10,000
	Windows	22 units	\$ 40,000	Administration		\$ 200,000
	Interior finishes	22 units	\$ 80,000	Audit		\$ 5,000
	Exterior finishes	11 bldgs.	\$ 80,000	Fees & Cost		
	Plumbing upgrades	22 units	\$ 40,000	Architect & Engineers		\$ 80,000
	Electrical upgrades	22 units	\$ 60,000	Financial Consultants		\$ 20,000
	HVAC upgrades	22 units	\$ 80,000	Legal Fees		\$ 10,000
	Roofs/Metals	11 bldgs.	\$ 80,000	Application/Planning Services		\$ 10,000
	Concrete/Paving	11 bldgs.	\$ 30,000	Construction Inspector		\$ 80,000
	Landscape/Drainage/Fencing	Site Wide	\$ 30,000	Non-Dwelling Equip		
	15-10 East View Amp-2			Computer Hardware		\$ 10,000
	Replace Roofs	39 bldgs	\$ 150,000	Office equip.		\$ 10,000
	Replace Kitchens	94	\$ 200,000	Dwelling Equip		
	Replace HVAC units	94	\$ 150,000	Appliances Amps 1-5		\$ 20,000
	Administration Bldg	1		HA-WIDE		
	Replace Roof	1	\$ 40,000	CRFP Dept Service		\$ 300,000
	Gutters/Downspouts/	1	\$ 15,000	Relocation		\$ 10,000
	Metals	1	\$ 5,000			
	Replace HVAC unit	2	\$ 20,000			
	Replace Site Lighting	1	\$ 10,000			

	Paving/Concrete	1	\$	30,000			
		Subtotal of Estimated Cost	\$	1,365,000.00		Subtotal of Estimated Cost	\$ 860,000.00

Annual Statement/Performance and Evaluation Report
Capital Fund Program, Capital Fund Program Replacement Housing Factor and
Capital Fund Financing Program

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing
OMB No. 2577-0226
Expires 4/30/2011

Part I: Summary

PHA Name: Fayette County Housing Authority	Grant Type and Number Capital Fund Program Grant No: P.A28P01550108 Replacement Housing Factor Grant No:	Federal FY of Grant: 2008 FFY of Grant Approval:
Type of Grant <input type="checkbox"/> Original Annual Statement <input type="checkbox"/> Reserver for Disasters/Emergencies <input checked="" type="checkbox"/> Performance and Evaluation Report for Period Ending 12/31/2010		<input checked="" type="checkbox"/> Revised Annual Statement (revision no: 6) <input type="checkbox"/> Final Performance and Evaluation Report

Line	No.	Summary by Development Account	Total Estimated Cost	Obligated	Total Actual Cost ^d	Expended
			Original	Revised ^e		
1		Total non-CFP Funds				
2		1406 Operations (may not exceed 20% of line 21f)	\$69,600.00	\$0.00	\$0.00	\$0.00
3		1408 Management Improvements	\$94,600.00	\$129,175.76	\$129,175.76	\$129,175.76
4		1410 Administration (may not exceed 10% of line 21)	\$190,874.00	\$190,874.00	\$190,874.00	\$190,874.00
5		1411 Audit	\$0.00	\$0.00	\$0.00	\$0.00
6		1415 Liquidated Damages	\$0.00	\$0.00	\$0.00	\$0.00
7		1430 Fees and Costs	\$323,326.00	\$476,700.06	\$476,700.06	\$476,700.06
8		1440 Site Acquisition	\$0.00	\$0.00	\$0.00	\$0.00
9		1450 Site Improvement	\$25,000.00	\$131,225.70	\$131,225.70	\$123,268.80
10		1460 Dwelling Structures	\$1,123,306.00	\$367,989.41	\$367,989.41	\$236,232.35
11		1465.1 Dwelling Equipment—Nonexpendable	\$5,000.00	\$31,972.62	\$31,972.62	\$31,972.62
12		1470 Non-dwelling Structures	\$0.00	\$565,472.93	\$565,472.93	\$498,155.44
13		1475 Non-dwelling Equipment	\$20,000.00	\$0.00	\$0.00	\$0.00
14		1485 Demolition	\$0.00	\$0.00	\$0.00	\$0.00
15		1492 Moving to Work Demonstration	\$0.00	\$0.00	\$0.00	\$0.00
16		1495.1 Relocation Costs	\$10,000.00	\$1,129.82	\$1,129.82	\$1,129.82
17		1499 Development Activities ^a	\$47,037.00	\$14,202.70	\$14,202.70	\$14,202.70
18		1501 Collateralization of Debt Service paid by PHA	\$0.00	\$0.00	\$0.00	\$0.00
18a		9000 Collateralization of Debt Service paid Via System of Direct Payment	\$0.00	\$0.00	\$0.00	\$0.00
19		1502 Contingency (may not exceed 8% of line 20)	\$0.00	\$0.00	\$0.00	\$0.00
21		Amount of Annual Grant: (sum of lines 2-19)	\$1,908,743.00	\$1,908,743.00	\$1,908,743.00	\$1,701,711.55
22		Contingency Account Compared to Construction Accounts				
23		Amount of line 20 Related to LBP Activities				
24		Amount of line 20 Related to Section 504 Activities	\$364,984.00	\$1,064,688.04	\$1,064,688.04	\$857,656.59
25		Amount of line 20 Related to Security—Soft Costs				
26		Amount of line 20 related to Security—Hard Costs				
27		Amount of line 20 Related to Energy Conservation Measures				
Signature of Executive Director			Date	Signature of Public Housing Director		Date
<i>John Z. [Signature]</i>			4-13-11			

- ¹ To be completed for the Performance and Evaluation Report.
- ² To be completed for the Performance and Evaluation Report or a Revised Annual Statement.
- ³ PHAs with under 250 units in management may use 100% of CFP Grants for Operations.
- ⁴ RHP Funds shall be included here.

Annual Statement/Performance and Evaluation Report
 Capital Fund Program, Capital Fund Program Replacement Housing Factor and
 Capital Fund Financing Program

U.S. Department of Housing and Urban Development
 Office of Public and Indian Housing
 OMB No. 2577-0226
 Expires 4/30/2011

Part II: Supporting Pages

PHA Name: Fayette County Housing Authority		Grant Type and Number		Capital Fund Program Grant No.: PA28P01550108		CFPP (Yes/No): No		Federal FFY of Grant: 2008	
Development Number Name/PHA-Wide Activities	General Description of Major Work Categories	Development Account No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work	
				Original	Revised	Funds ² Obligated	Funds ² Expended		
PA 15-1, Bierer	Development Activities	1499		\$47,037.00	\$0.00	\$0.00	\$0.00	In 2009	
Wood Acres									
PA 15-2, Crossland	504 upgrades - Demo of 2-2 story units and community bldg. and rebuild 1-1 BR and 1-4 BR handicap unit							In 2009 ARRA	
	1. Demo work	1460	2 units	\$22,000.00	\$0.00	\$0.00	\$0.00		
	2. Masonry-brick/block/footings	1460	2 units	\$30,000.00	\$0.00	\$0.00	\$0.00		
	3. Framing	1460	2 units	\$20,000.00	\$0.00	\$0.00	\$0.00		
	4. Roofing & metals	1460	2 units	\$20,000.00	\$0.00	\$0.00	\$0.00		
	5. Interior-drywall, paint, trim, flooring, shelvin	1460	2 units	\$21,394.00	\$0.00	\$0.00	\$0.00		
	6. Kitchens	1460	2 units	\$20,000.00	\$0.00	\$0.00	\$0.00		
	7. Bathrooms	1460	2 units	\$8,000.00	\$0.00	\$0.00	\$0.00		
	8. Electrical upgrades	1460	2 units	\$25,000.00	\$0.00	\$0.00	\$0.00		
	9. Plumbing upgrades	1460	2 units	\$20,000.00	\$0.00	\$0.00	\$0.00		
	10. HVAC	1460	2 units	\$19,000.00	\$0.00	\$0.00	\$0.00		
	11. Concrete/paving/railings	1460	2 units	\$20,000.00	\$0.00	\$0.00	\$0.00		
	12. Landscape & drainage	1450	Site Wide	\$25,000.00	\$0.00	\$0.00	\$0.00		
PA 15-8, Marion	1. Sewage tap-in fees	1460	80 units	\$170,400.00	\$0.00	\$0.00	\$0.00	In 2009	
Villa									
PA 15-11, Mulligan	1. Replace HVAC units in all units	1460	65 units	\$126,769.00	\$0.00	\$0.00	\$0.00	In 2010	
Manor									
PA 15-12, White	1. Replace HVAC units in all units	1460	80 units	\$190,000.00	\$0.00	\$0.00	\$0.00	In 2010	
Swan Apts.									

¹ To be completed for the Performance and Evaluation Report or a Revised Annual Statement.

² To be completed for the Performance and Evaluation Report.

Capital Fund Program, Capital Fund Program Replacement Housing Factor and
Capital Fund Financing Program

Office of Public and Indian Housing
OMB No. 2577-0226
Expires 4/30/2011

Part II: Supporting Pages

PHA Name: Fayette County Housing Authority				Grant Type and Number		Capital Fund Program Grant No:PA28P01550108		CFEP (Yes/No):No		Federal FFY of Grant: 2008	
Development Number Name/PHA-Wide Activities	General Description of Major Work Categories	Development Account No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work			
				Original	Revised	Funds Obligated ²	Funds Expended ²				
PA 15-15, Clarence Hess Terrace	504 Upgrades on 3 units							In 2009			
	1. Kitchens	1460	3 units	\$21,000.00	\$0.00	\$0.00	\$0.00				
	2. Bathrooms	1460	3 units	\$15,000.00	\$0.00	\$0.00	\$0.00				
	3. Interior drywall, paint, trim, flooring, and shelving	1460	3 units	\$30,000.00	\$0.00	\$0.00	\$0.00				
	4. Exterior finishes - windows, doors	1460	3 units	\$15,000.00	\$0.00	\$0.00	\$0.00				
	5. Roofs	1460	3 units	\$20,000.00	\$0.00	\$0.00	\$0.00				
	6. Electrical upgrades	1460	3 units	\$20,000.00	\$0.00	\$0.00	\$0.00				
	7. Plumbing upgrades	1460	3 units	\$18,000.00	\$0.00	\$0.00	\$0.00				
	8. HVAC upgrades	1460	3 units	\$13,000.00	\$0.00	\$0.00	\$0.00				
	9. Site work, concrete	1450	Site Wide	\$0.00	\$0.00	\$0.00	\$0.00				
	10. Paving	1450	Site Wide	\$0.00	\$0.00	\$0.00	\$0.00				
	11. Landscape & drainage	1450	Site Wide	\$0.00	\$0.00	\$0.00	\$0.00				
PA 15-16, Belle Vernon Apts.	1. Replace windows	1460	150 units	\$150,000.00	\$0.00	\$0.00	\$0.00	In 2009			
PA 15-26, Outcrop	1. Replace sewage treatment plant from Marion Villa to Outcrop I	1460	Site Wide	\$108,743.00	\$0.00	\$0.00	\$0.00	In 2009			
Operations	AMP 1	1406		\$69,600.00	\$0.00	\$0.00	\$0.00				
Administration	504 Upgrades										
Office	1. Bathrooms	1470	4	\$0.00	\$69,133.73	\$69,133.73	\$69,133.73	From 2009			
	2. Doors	1470		\$0.00	\$55,956.00	\$55,956.00	\$55,956.00				
	3. Electrical upgrades	1470		\$0.00	\$65,777.17	\$65,777.17	\$65,777.17				
	4. Plumbing upgrades	1470		\$0.00	\$20,075.45	\$20,075.45	\$20,075.45				
	5. Interior finishes	1470		\$0.00	\$222,012.83	\$222,012.83	\$222,012.83				
	6. Concrete/paving	1450	Site wide	\$0.00	\$25,428.00	\$25,428.00	\$25,428.00				

Capital Fund Program, Capital Fund Program Replacement Housing Factor and
Capital Fund Financing Program

Office of Public and Indian Housing
OMB No. 2577-0226
Expires 4/30/2011

Part II: Supporting Pages

PHA Name: Fayette County Housing Authority			Grant Type and Number		Capital Fund Program Grant No:PA28P01550108			CFFP (Yes/No):No		Federal FFY of Grant: 2008						
Development Number Name/PHA-Wide Activities			General Description of Major Work Categories		Development Account No.		Quantity		Total Estimated Cost		Total Actual Cost		Status of Work			
									Original		Revised		Funds Obligated ²		Funds Expended ²	
Management Improvements			AMPS 1-5													
			1. Travel/training		1408				\$15,000.00		\$29,295.07		\$29,295.07			
			2. Security		1408				\$69,600.00		\$99,880.69		\$99,880.69			
			3. Computer Software		1408				\$10,000.00		\$0.00		\$0.00			
Administration			1. Central Office Cost		1410				\$190,874.00		\$190,874.00		\$190,874.00			
Fees & Costs			1. Architectural & engineering		1430		Site Wide		\$100,000.00		\$127,752.78		\$127,752.78			
			2. Financial consultants		1430		Site Wide		\$30,000.00		\$3,372.50		\$3,372.50			
			3. Legal fees		1430		Site Wide		\$30,000.00		\$60,873.83		\$60,873.83			
			4. Advertisements		1430		Site Wide		\$5,000.00		\$6,925.77		\$6,925.77			
			5. Applications/planning services		1430		Site Wide		\$10,000.00		\$10,880.00		\$10,880.00			
			6. Construction inspectors		1430		Site Wide		\$148,326.00		\$266,895.18		\$266,895.18			
Dwelling equipment			1. Appliances		1465.1		Site Wide		\$5,000.00		\$31,972.62		\$31,972.62			
Non-dwelling equipment			1. Computer hardware		1475		Site Wide		\$10,000.00		\$0.00		\$0.00			
			2. Office equipment		1475		Site Wide		\$5,000.00		\$0.00		\$0.00			
			3. Tractor		1475		Site Wide		\$5,000.00		\$0.00		\$0.00			
HA-wide			1. Relocation		1495.1		Site Wide		\$10,000.00		\$1,129.82		\$1,129.82			
Laurel Estates			Loan of Capital Fund to Separate Entity for Infrastructure		1499		Site Wide		\$0.00		\$14,202.70		\$14,202.70		From 2007	

¹ To be completed for the Performance and Evaluation Report or a Revised Annual Statement.

² To be completed for the Performance and Evaluation Report.

Capital Fund Program, Capital Fund Program Replacement Housing Factor and
Capital Fund Financing Program

Office of Public and Indian Housing
OMB No. 2577-0226
Expires 4/30/2011

Part II: Supporting Pages

PHA Name: Fayette County Housing Authority			Grant Type and Number			Capital Fund Program Grant No: PA28P01550108			CFPP (Yes/No): No			Federal FFY of Grant: 2008		
Development Number Name/PHA-Wide Activities	General Description of Major Work Categories	Development Account No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work						
				Replacement Housing Factor Grant No:	Original	Revised	Funds Obligated ²		Funds Expended ²					
PA 15-6, Fort Mason Village				504 Upgrades:							In 2009			
	1. Kitchens	1460	5 units		\$0.00		\$0.00	\$0.00						
	2. Bathrooms	1460	5 units		\$0.00		\$0.00	\$0.00						
	3. Interior finishes	1460	5 units		\$0.00		\$0.00	\$0.00						
	4. Exterior finishes, doors, windows, siding	1460	5 units		\$0.00		\$0.00	\$0.00						
	5. Plumbing upgrades	1460	5 units		\$0.00		\$0.00	\$0.00						
	6. Electrical upgrades	1460	5 units		\$0.00		\$0.00	\$0.00						
	7. HVAC upgrades	1460	5 units		\$0.00		\$0.00	\$0.00						
	8. Roofs/framing	1460	5 units		\$0.00		\$0.00	\$0.00						
	9. Concrete	1460	5 units		\$0.00		\$0.00	\$0.00						
	10. Landscape/drainage	1450	Site Wide		\$0.00		\$0.00	\$0.00						
	11. Paving	1450	Site Wide		\$0.00		\$0.00	\$0.00						
PA 15-17, Sembowe Terrace				1. Siding	1460	2 Units	\$0.00	\$ 27,000.00	\$27,000.00	\$27,000.00	From 5 Year Plan			
PA 15-11, Mulligan Manor				504 Upgrades										
	1. Kitchens	1460	4 units		\$0.00	\$ 129,692.28	\$129,692.28	\$79,409.75		From 2009 ARRA				
	2. Bathrooms	1460	4 units		\$0.00	\$ 85,291.80	\$85,291.80	\$54,249.00						
	3. Electrical upgrades	1460	4 units		\$0.00	\$ 31,950.00	\$31,950.00	\$25,380.00						
	4. Plumbing upgrades	1460	4 units		\$0.00	\$ 50,193.60	\$50,193.60	\$50,193.60						
	5. Community Room	1470	1		\$0.00	\$ 53,572.72	\$53,572.72	\$19,301.09						
	6. Manager's office	1470	1		\$0.00	\$ 28,390.58	\$28,390.58	\$13,085.17						
	7. Replace door entry system	1470	1		\$0.00	\$ 50,554.45	\$50,554.45	\$32,814.00						
	8. Site work	1450	Site wide		\$0.00	\$ 97,840.80	\$97,840.80	\$97,840.80						
1														
2														
PA 15-15, 504 Upgrades														

Office of Public and Indian Housing
OMB No. 2577-0226
Expires 4/30/2011

PHA Name: Fayette County Housing Authority

Capital Fund Program Grant No:PA28P01550108

CFRP (Yes/No):No

Federal FFY of Grant:

2008

[illegible]

1 To be completed for the Performance and Evaluation Report or a Revised Annual Statement.

2 To be completed for the Performance and Evaluation Report.

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing
OMB No. 2577-0226
Expires 4/30/2011

PHA Name: Fayette County Housing Authority

Federal FY of Grant: 2008

[illegible]

Obligation and expenditure end date can only be revised with HUD approval pursuant to Section 9j of the U.S. Housing Act of 1937, as amended.

Annual Statement/Performance and Evaluation Report
Capital Fund Program, Capital Fund Program Replacement Housing Factor and
Capital Fund Financing Program

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing
OMB No. 2577-0226
Expires 4/30/2011

Part I: Summary

PHA Name: Fayette County Housing Authority	Grant Type and Number Capital Fund Program Grant No: P-A28P01550109 Replacement Housing Factor Grant No: Date of CFP:	Federal FY of Grant: 2009 FFY of Grant Approval:
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Type of Grant
☐ Original Annual Statement
☒ Performance and Evaluation Report for Period Ending 12/31/2010
☐ Reserver for Disasters/Emergencies
☒ Revised Annual Statement (revision no: 4)
☐ Final Performance and Evaluation Report

Line No.	Summary by Developed	Original	Total Estimated Cost	Revised 2	Obligated	Total Actual Cost 1	Expended
1	Total non-CFP Funds						
2	1406 Operations (may not exceed 20% of line 21) 3	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
3	1408 Management Improvements	\$ 50,000	\$ 141,852.48	\$ 141,852.48	\$ 81,692.26	\$ 59,273.26	\$ 59,273.26
4	1410 Administration (may not exceed 10% of line 21)	\$ 200,000	\$ 194,485.00	\$ 194,485.00	\$ 194,485.00	\$ 194,485.00	\$ 194,485.00
5	1411 Audit	\$ 5,000	\$ 5,000.00	\$ 5,000.00	\$ 0.00	\$ 0.00	\$ 0.00
6	1415 Liquidated Damages	\$ -	\$ -	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
7	1430 Fees and Costs	\$ 209,855	\$ 378,923.62	\$ 378,923.62	\$ 255,215.57	\$ 176,344.97	\$ 176,344.97
8	1440 Site Acquisition	\$ 100,000	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
9	1450 Site Improvement	\$ 159,000	\$ 187,452.35	\$ 187,452.35	\$ 60,400.19	\$ 52,354.52	\$ 52,354.52
10	1460 Dwelling Structures	\$ 818,000	\$ 992,721.80	\$ 992,721.80	\$ 215,033.98	\$ 151,617.78	\$ 151,617.78
11	1465.1 Dwelling Equipment—Nonexpendable	\$ 30,000	\$ 9,000.00	\$ 9,000.00	\$ 0.00	\$ 0.00	\$ 0.00
12	1470 Non-dwelling Structures	\$ 198,000	\$ 29,419.75	\$ 29,419.75	\$ 3,956.28	\$ 0.00	\$ 0.00
13	1475 Non-dwelling Equipment	\$ 30,000	\$ 1,000.00	\$ 1,000.00	\$ 920.00	\$ 0.00	\$ 0.00
14	1485 Demolition	\$ 75,000	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
15	1492 Moving to Work Demonstration	\$ -	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
16	1495.1 Relocation Costs	\$ 20,000	\$ 5,000.00	\$ 5,000.00	\$ 0.00	\$ 0.00	\$ 0.00
17	1499 Development Activities 4	\$ 50,000	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
18	1501 Collateralization of Debt Service paid by PHA	\$ -	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
18a	9000 Collateralization of Debt Service paid Via System of Direct Payment	\$ -	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
19	1502 Contingency (may not exceed 8% of line 20)	\$ -	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
21	Amount of Annual Grant: (sum of lines 2-19)	\$ 1,944,855	\$ 1,944,855.00	\$ 1,944,855.00	\$ 811,703.28	\$ 634,075.53	\$ 634,075.53
22	Contingency Account Compared to Construction Accounts						
23	Amount of line 20 Related to LBP Activities	\$ 591,394.00	\$ 359,218.90	\$ 359,218.90	\$ 279,390.45	\$ 203,972.30	\$ 203,972.30
24	Amount of line 20 Related to Section 504 Activities						
25	Amount of line 20 Related to Security—Soft Costs						
26	Amount of line 20 Related to Security—Hard Costs						
27	Amount of line 20 Related to Energy Conservation Measures						

Signature of Executive Director: *Thomas J. Allen* Date: 4-13-11 Signature of Public Housing Director: Date:

1 To be completed for the Performance and Evaluation Report.
2 To be completed for the Performance and Evaluation Report or a Revised Annual Statement.
3 PHAs with under 250 units in management may use 100% of CFP Grants for Operations.
4 RHFF Funds shall be included here.

Annual Statement/Performance and Evaluation Report
 Capital Fund Program, Capital Fund Program Replacement Housing Factor and
 Capital Fund Financing Program

U.S. Department of Housing and Urban Development
 Office of Public and Indian Housing
 OMB No. 2577-0226
 Expires 4/30/2011

Part II: Supporting Pages

PHA Name: Fayette County Housing Authority		Grant Type and Number Capital Fund Program Grant No:PA28P01550109		CFPP (Yes/No): No		Federal FFY of Grant: 2009					
Development Number Name/PHA-Wide Activities		General Description of Major Work Categories		Development Account No.		Quantity	Total Estimated Cost	Total Actual Cost	Status of Work		
							Original	Revised ¹	Funds Obligated ²	Funds Expended ²	
Administration		504 Upgrades:									
Office		1. Bathrooms		1470		4	\$ 41,000.00	\$0.00	\$0.00	\$0.00	In 2008
		2. Doors		1470			\$ 22,000.00	\$0.00	\$0.00	\$0.00	
		3. Electrical upgrades		1470			\$ 25,000.00	\$0.00	\$0.00	\$0.00	
		4. Plumbing upgrades		1470			\$ 20,000.00	\$0.00	\$0.00	\$0.00	
		5. Interior finishes		1470			\$ 45,000.00	\$0.00	\$0.00	\$0.00	
		6. Concrete/paving		1450		Site-Wide	\$ 9,000.00	\$0.00	\$0.00	\$0.00	
PA 15-1, Bieler		1. Development Activities		1499		Site-Wide	\$ 50,000.00	\$0.00	\$0.00	\$0.00	In 2011
Wood Acres AMP2		2. Demolition/disposition		1485		28 units	\$ 30,000.00	\$0.00	\$0.00	\$0.00	
		3. Site Acquisition to develop 56 unit bldg.		1440			\$ 50,000.00	\$0.00	\$0.00	\$0.00	
PA 15-5, South		504 Upgrades:				3 units					
Hill Terrace AMP5		1. Kitchens		1460			\$ 10,000.00	\$0.00	\$0.00	\$0.00	In 2010
		2. Bathrooms		1460			\$ 8,000.00	\$0.00	\$0.00	\$0.00	
		3. Interior finishes		1460			\$ 20,000.00	\$0.00	\$0.00	\$0.00	
		4. Exterior finishes door, windows, siding		1460			\$ 30,000.00	\$0.00	\$0.00	\$0.00	
		5. Plumbing upgrades		1460			\$ 20,000.00	\$0.00	\$0.00	\$0.00	
		6. Electrical upgrades		1460			\$ 20,000.00	\$0.00	\$0.00	\$0.00	
		7. HVAC upgrades		1460			\$ 15,000.00	\$0.00	\$0.00	\$0.00	
		8. Roofs		1460			\$ 20,000.00	\$0.00	\$0.00	\$0.00	
		9. Concrete		1460			\$ 10,000.00	\$0.00	\$0.00	\$0.00	
		10. Landscape/drainage		1450			\$ 10,000.00	\$0.00	\$0.00	\$0.00	
		11. Paving		1450			\$ 10,000.00	\$0.00	\$0.00	\$0.00	
		12. Bus Shed		1470		1	\$ 5,000.00	\$0.00	\$0.00	\$0.00	
1 To be completed for the Performance and Evaluation Report or a Revised Annual Statement.											
2 To be completed for the Performance and Evaluation Report.											

¹ To be completed for the Performance and Evaluation Report or a Revised Annual Statement.

² To be completed for the Performance and Evaluation Report.

Capital Fund Program, Capital Fund Program Replacement Housing Factor and
Capital Fund Financing Program

Office of Public and Indian Housing
OMB No. 2577-0226
Expires 4/30/2011

Part II: Supporting Pages

PHA Name:		Grant Type and Number		CFPP (Yes/No):		Federal FFY of Grant: 2009		
Fayette County Housing Authority		Capital Fund Program Grant No: PA28P01550109		No				
Replacement Housing Factor Grant No:								
Development Number Name/PHA-Wide Activities	General Description of Major Work Categories	Development Account No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised ¹	Funds Obligated ²	Funds Expended ²	
PA 15-6, Fort Mason Village AMP 4	504 Upgrades: 1. Kitchens	1460	5 Units	\$ 25,000.00	\$0.00	\$0.00	\$0.00	In 2010
	2. Bathrooms	1460		\$ 20,000.00	\$0.00	\$0.00	\$0.00	
	3. Interior finishes	1460		\$ 60,000.00	\$0.00	\$0.00	\$0.00	
	4. Exterior finishes doors, windows, siding	1460		\$ 50,000.00	\$0.00	\$0.00	\$0.00	
	5. Plumbing upgrades	1460		\$ 60,000.00	\$0.00	\$0.00	\$0.00	
	6. Electrical upgrades	1460		\$ 60,000.00	\$0.00	\$0.00	\$0.00	
	7. HVAC upgrades	1460		\$ 20,000.00	\$0.00	\$0.00	\$0.00	
	8. Roofs/framing	1460		\$ 70,000.00	\$0.00	\$0.00	\$0.00	
	9. Concrete	1460		\$ 30,000.00	\$0.00	\$0.00	\$0.00	
	10. Landscape/drainage	1450		\$ 10,000.00	\$0.00	\$0.00	\$0.00	
	11. Paving	1450		\$ 10,000.00	\$0.00	\$0.00	\$0.00	
	12. Demolition	1485		\$ 45,000.00	\$0.00	\$0.00	\$0.00	
PA 15-8, Marion Villa AMP 5	1. Sewage Tap Fees	1460	78	\$ 100,000.00	\$49,375.00	\$0.00	\$0.00	From 2008
	2. Replace Roofs	1460	11 Bldgs.	\$ 80,000.00	\$624,600.00	\$0.00	\$0.00	
	3. Replace Playground	1450	1	\$ 10,000.00	\$80,000.00	\$0.00	\$0.00	
PA 15-26, Outcrop AMP 4	1. Replace Sewage Treatment Plant	1450	1	\$ 100,000.00	\$0.00	\$0.00	\$0.00	In 2010
PA 15-16, Belle Vernon Apts. AMP 1	1. Replace Windows	1460		\$30,000.00	\$0.00	\$0.00	\$0.00	In 2010
	2. Replace HVAC units	1460	25	\$30,000.00	\$0.00	\$0.00	\$0.00	
PA 15-12, White Swan AMP 1	1. Replace HVAC units	1460	25	\$30,000.00	\$0.00	\$0.00	\$0.00	In 2010
	2. Replace emergency generator	1470	1	\$40,000.00	\$0.00	\$0.00	\$0.00	

¹ To be completed for the Performance and Evaluation Report or a Revised Annual Statement.

² To be completed for the Performance and Evaluation Report.

Office of Public and Indian Housing
OMB No. 2577-0226
Expires 4/30/2011

PHA Name:

¹ To be completed for the Performance and Evaluation Report or a Revised Annual Statement.
² To be completed for the Performance and Evaluation Report.

Capital Fund Program, Capital Fund Program Replacement Housing Factor and
Capital Fund Financing Program

Office of Public and Indian Housing
OMB No. 2577-0226
Expires 4/30/2011

Part II: Supporting Pages

PHA Name: Fayette County Housing Authority		Grant Type and Number Capital Fund Program Grant No:PA28P01550109 Replacement Housing Factor Grant No:		CFFP (Yes/No):		No		Federal FFY of Grant: 2009	
Development Number Name/PHA-Wide Activities	General Description of Major Work Categories	Development Account No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work	
				Original	Revised ¹	Funds Obligated ²	Funds Expended ²		
PA 15-24, Lemont Heights	504 Upgrades:		2 Units					In 2010	
	1. Kitchens	1460		\$0.00	\$0.00	\$0.00	\$0.00		
	2. Bathrooms	1460		\$0.00	\$0.00	\$0.00	\$0.00		
	3. Interior finishes	1460		\$0.00	\$0.00	\$0.00	\$0.00		
	4. Exterior finishes	1460		\$0.00	\$0.00	\$0.00	\$0.00		
	5. Framing/roofs	1460		\$0.00	\$0.00	\$0.00	\$0.00		
	6. Plumbing upgrades	1460		\$0.00	\$0.00	\$0.00	\$0.00		
	7. Electrical upgrades	1460		\$0.00	\$0.00	\$0.00	\$0.00		
	8. HVAC upgrades	1460		\$0.00	\$0.00	\$0.00	\$0.00		
	9. Concrete/paving/railing	1450		\$0.00	\$0.00	\$0.00	\$0.00		
	10. Landscape/drainage	1450		\$0.00	\$0.00	\$0.00	\$0.00		
PA 15-11, Mulligan Manor	1. Site Work	1450	Site Wide	\$0.00	\$0.00	\$0.00	\$0.00	In 2010	
	2. Replace HVAC units in all units	1460	65 units	\$0.00	\$0.00	\$0.00	\$0.00		
PA 15-13, Marshall Manor	1. Electric Upgrades	1460	5 units	\$0.00	\$3,584.85	\$3,584.85	\$0.00	From 2009 ARRA	
	2. Community Room	1470	1	\$0.00	\$445.26	\$445.26	\$0.00		
	3. Common areas/bathrooms/laundry room	1470	Site wide	\$0.00	\$3,511.02	\$3,511.02	\$0.00		
PA 15-2, Crossland Place	1. Demo	1460	2 units	\$0.00	\$7,255.50	\$7,255.50	\$7,255.50	From 2009 ARRA	
	2. Masonry-brick/block/footings	1460	2 units	\$0.00	\$7,578.50	\$7,578.50	\$7,578.50		
	3. Framing	1460	2 units	\$0.00	\$5,944.50	\$5,944.50	\$5,944.50		
	4. Roofing & metals	1460	2 units	\$0.00	\$2,701.15	\$2,701.15	\$2,701.15		
	5. Interior finishes	1460	2 units	\$0.00	\$5,822.30	\$5,822.30	\$5,822.30		
	6. Kitchens	1460	2 units	\$0.00	\$1,100.00	\$1,100.00	\$1,100.00		
	7. Bathrooms	1460	2 units	\$0.00	\$322.10	\$322.10	\$322.10		
	8. Concrete/paving, railings	1450	Site wide	\$0.00	\$4,225.80	\$4,225.80	\$4,225.80		
	9. Landscape/drainage	1450	Site wide	\$0.00	\$4,195.80	\$4,195.80	\$4,195.80		

1

To be completed for the Performance and Evaluation Report or a Revised Annual Statement.

2

To be completed for the Performance and Evaluation Report.

¹ To be completed for the Performance and Evaluation Report or a Revised Annual Statement.

² To be completed for the Performance and Evaluation Report.

Capital Fund Program, Capital Fund Program Replacement Housing Factor and
Capital Fund Financing Program

Office of Public and Indian Housing
OMB No. 2577-0226
Expires 4/30/2011

Part II: Supporting Pages

PHA Name: Fayette County Housing Authority		Grant Type and Number Capital Fund Program Grant No:PA28P01550109 Replacement Housing Factor Grant No:		CFFP (Yes/No):		No		Federal FFY of Grant: 2009	
Development Number Name/PHA-Wide Activities	General Description of Major Work Categories	Development Account No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work	
				Original	Revised ¹	Funds Obligated ²	Funds Expended ²		
PA 15-17, Sembowel Terrace	1. Kitchens	1460	2 units	\$0.00	\$6,030.00	\$6,030.00	\$6,030.00	From 2009 ARRA	
	2. Baths	1460	2 units	\$0.00	\$3,295.00	\$3,295.00	\$3,295.00		
	3. Interior - drywall,paint,trim,flooring & shelving	1460	2 units	\$0.00	\$4,710.00	\$4,710.00	\$4,710.00		
	4. Exterior finishes - windows, doors, framing & brick	1460	2 units	\$0.00	\$24,260.20	\$24,260.20	\$24,260.20		
	5. Electric upgrades	1460	2 units	\$0.00	\$2,925.00	\$2,925.00	\$2,925.00		
	6. Plumbing upgrades	1460	2 units	\$0.00	\$3,980.00	\$3,980.00	\$3,980.00		
	7. Site work - concrete & paving	1450	Site wide	\$0.00	\$20,040.00	\$20,040.00	\$20,040.00		
	8. Landscape & drainage	1450	Site wide	\$0.00	\$2,052.00	\$2,052.00	\$2,052.00		
	9. Roofs	1460	2 units	\$0.00	\$1,600.00	\$1,600.00	\$1,600.00		
	10. Roofs	1460	5 Bldgs.	\$0.00	\$20,333.60	\$20,333.60	\$20,333.60		
	11. HVAC upgrades	1460	2 units	\$0.00	\$2,785.00	\$2,785.00	\$2,785.00		
	12. Exterior finishes - siding only	1460	2 units	\$0.00	\$3,000.00	\$3,000.00	\$3,000.00	From 2008	
PA 15-15, Clarence Hess Terrace	1. Kitchens	1460	3 units	\$0.00	\$16,173.90	\$16,173.90	\$12,264.60	From 2009 ARRA	
	2. Baths	1460	3 units	\$0.00	\$10,895.46	\$10,895.46	\$8,792.70		
	3. Int. finishes - dry wall,paint,trim flooring & shelving	1460	3 units	\$0.00	\$5,514.60	\$5,514.60	\$0.00		
	4. Exterior finishes - windows, doors	1460	3 units	\$0.00	\$35,646.53	\$35,646.53	\$6,130.80		
	5. Roofs	1460	3 units	\$0.00	\$6,929.30	\$6,929.30	\$0.00		
	6. Electric upgrades	1460	3 units	\$0.00	\$21,195.70	\$21,195.70	\$9,336.04		
	7. Plumbing upgrades	1460	3 units	\$0.00	\$8,134.59	\$8,134.59	\$8,134.59		
	8. HVAC upgrades	1460	3 units	\$0.00	\$3,316.20	\$3,316.20	\$3,316.20		
	9. Site work - concrete	1450	Site wide	\$0.00	\$2,934.90	\$2,934.90	\$0.00		
	10. Paving	1450	Site wide	\$0.00	\$21,907.50	\$21,907.50	\$20,637.00		
	11. Landscape & drainage	1450	Site wide	\$0.00	\$5,044.19	\$5,044.19	\$1,203.92		

¹ To be completed for the Performance and Evaluation Report or a Revised Annual Statement.

² To be completed for the Performance and Evaluation Report.

Capital Fund Program, Capital Fund Program Replacement Housing Factor and
Capital Fund Financing Program

Office of Public and Indian Housing
OMB No. 2577-0226
Expires 4/30/2011

Part II: Supporting Pages

PHA Name:		Grant Type and Number		Federal FFY of Grant:		
Fayette County Housing Authority		Capital Fund Program Grant No:PA28P01550109		2009		
		Replacement Housing Factor Grant No:		CFFP (Yes/No):		
				No		
Development Number Name/PHA-Wide Activities	General Description of Major Work Categories	Development Account No.	Quantity	Total Estimated Cost	Total Actual Cost	Status of Work
				Original	Funds Obligated ²	Funds Expended ²
PA 15-11, Mulligan Manor						
1. Kitchens	1460	4 units		\$0.00	\$19,105.62	\$0.00 From 2008
2. Bathrooms	1460	4 units		\$0.00	\$16,120.20	\$0.00
3. Electrical upgrades	1460	4 units		\$0.00	\$4,050.00	\$0.00
4. Plumbing upgrades	1460	4 units		\$0.00	\$2,992.00	\$0.00
5. Community room - flooring, shelving	1470	1		\$0.00	\$14,319.45	\$0.00
6. Manager's office	1470	1		\$0.00	\$5,322.84	\$0.00
7. Replace door entry system	1470	1		\$0.00	\$5,821.18	\$0.00
8. Site work	1450	Site wide		\$0.00	\$12,097.16	\$0.00
PA 15-15, Clarence Hess Terrace						
1. Demolition	1460	1 unit		\$0.00	\$21,770.00	\$0.00 From Five Year Plan
2. Roofing	1460	1 unit		\$0.00	\$10,000.00	\$0.00
3. Replace kitchen addition	1460	1 unit		\$0.00	\$29,675.00	\$0.00
4. Retaining wall	1450	1 unit		\$0.00	\$10,800.00	\$0.00
5. Site work	1450	1 unit		\$0.00	\$21,355.00	\$0.00
6. Landscaping	1450	1 unit		\$0.00	\$2,800.00	\$0.00

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing
OMB No. 2577-0226
Expires 4/30/2011

Federal FY of Grant: 2009

form HUD-50075.1 (4/2008)

Annual Statement/Performance and Evaluation Report
Capital Fund Program, Capital Fund Program Replacement Housing Factor and
Capital Fund Financing Program

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing
OMB No. 2577-0226
Expires 4/30/2011

Part I: Summary

PHA Name: Fayette County Housing Authority	Grant Type and Number Capital Fund Program Grant No: PA28P01550110 Replacement Housing Factor Grant No: Date of CFFP:	Federal FY of Grant: 2010 FFY of Grant Approval:
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Type of Grant <input type="checkbox"/> Original Annual Statement <input checked="" type="checkbox"/> Performance and Evaluation Report for Period Ending 12/30/2010	<input type="checkbox"/> Reserver for Disasters/Emergencies <input checked="" type="checkbox"/> Revised Annual Statement (revision no: 1) <input type="checkbox"/> Final Performance and Evaluation Report
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Line No.	Summary by Development Account	Original	Total Estimated Cost	Revised ²	Obligated	Total Actual Cost ¹	Expended
1	Total non-CFF Funds						
2	1406 Operations (may not exceed 20% of line 21) ³	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
3	1408 Management Improvements	\$ 168,822	\$ 150,000.00	\$ 150,000.00	\$ 0.00	\$ 0.00	\$ 0.00
4	1410 Administration (may not exceed 10% of line 21)	\$ 189,300	\$ 189,300.00	\$ 189,300.00	\$ 0.00	\$ 0.00	\$ 0.00
5	1411 Audit	\$ 5,000	\$ 5,000.00	\$ 5,000.00	\$ 0.00	\$ 0.00	\$ 0.00
6	1415 Liquidated Damages	\$ -	\$ -	\$ -	\$ 0.00	\$ 0.00	\$ 0.00
7	1430 Fees and Costs	\$ 205,000	\$ 225,000.00	\$ 225,000.00	\$ 0.00	\$ 0.00	\$ 0.00
8	1440 Site Acquisition	\$ 130,000	\$ 180,000.00	\$ 180,000.00	\$ 0.00	\$ 0.00	\$ 0.00
9	1450 Site Improvement	\$ 60,000	\$ 160,000.00	\$ 160,000.00	\$ 0.00	\$ 0.00	\$ 0.00
10	1460 Dwelling Structures	\$ 595,000	\$ 457,000.00	\$ 457,000.00	\$ 0.00	\$ 0.00	\$ 0.00
11	1465.1 Dwelling Equipment—Nonexpendable	\$ 20,000	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
12	1470 Non-dwelling Structures	\$ 100,000	\$ 156,822.00	\$ 156,822.00	\$ 0.00	\$ 0.00	\$ 0.00
13	1475 Non-dwelling Equipment	\$ 150,000	\$ 110,000.00	\$ 110,000.00	\$ 0.00	\$ 0.00	\$ 0.00
14	1485 Demolition	\$ -	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
15	1492 Moving to Work Demonstration	\$ -	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
16	1495.1 Relocation Costs	\$ 20,000	\$ 10,000.00	\$ 10,000.00	\$ 0.00	\$ 0.00	\$ 0.00
17	1499 Development Activities ⁴	\$ 100,000	\$ 100,000.00	\$ 100,000.00	\$ 0.00	\$ 0.00	\$ 0.00
18	1501 Collateralization of Debt Service paid by PHA	\$ -	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
18a	9000 Collateralization of Debt Service paid Via System of Direct Payment	\$ 150,000	\$ 150,000.00	\$ 150,000.00	\$ 0.00	\$ 0.00	\$ 0.00
19	1502 Contingency (may not exceed 8% of line 20)	\$ -	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
21	Amount of Annual Grant: (sum of lines 2-19)	\$ 1,893,122	\$ 1,893,122.00	\$ 1,893,122.00	\$ 0.00	\$ 0.00	\$ 0.00
22	Contingency Account Compared to Construction Accounts						
23	Amount of line 20 Related to LBP Activities						
24	Amount of line 20 Related to Section 504 Activities	\$ 705,000.00	\$ 337,000.00	\$ 337,000.00	\$ 0.00	\$ 0.00	\$ 0.00
25	Amount of line 20 Related to Security—Soft Costs						
26	Amount of line 20 related to Security—Hard Costs						
27	Amount of line 20 Related to Energy Conservation Measures						

Signature of Executive Director <i>Thomas J. [Signature]</i>	Date 4-13-11	Signature of Public Housing Director	Date
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¹ To be completed for the Performance and Evaluation Report.
² To be completed for the Performance and Evaluation Report or a Revised Annual Statement.
³ PHAs with under 250 units in management may use 100% of CFF Grants for Operations.
⁴ RHF Funds shall be included here.

Annual Statement/Performance and Evaluation Report
 Capital Fund Program, Capital Fund Program Replacement Housing Factor and
 Capital Fund Financing Program

U.S. Department of Housing
 Office of

Part II: Supporting Pages

PHA Name: Fayette County Housing Authority		Grant Type and Number Capital Fund Program Grant No: PA28P01550110 Replacement Housing Factor Grant No:		CFPP (Yes/No): No		Federal FFY of Grant:	
Development Number Name/PHA-Wide Activities	General Description of Major Work Categories	Development Account No.	Quantity	Total Estimated Cost		Total Actual Cost	
				Original	Revised ¹	Funds Obligated ²	Funds Expended ²
PA 15-12, White	Development Activities						
Swan AMP 1	1. Rehab 78 Eff. Units to 47 1 BR units	1499	78 units	\$ 50,000.00	\$50,000.00	\$0.00	\$0.00
	Acquisition of airspace	1440	1	\$ 50,000.00	\$50,000.00	\$0.00	\$0.00
PA 15-6, Fort	504 upgrades - Select Demolition of 2- 8 unit row bldgs. and reconstruct 2- 4 unit bldgs. consisting of 5 handicap units and 3- 1 BR units						
Mason Village							
	1. Kitchens	1460	8 units	\$ 70,000.00	\$0.00	\$0.00	\$0.00
	2. Bathrooms	1460	8 units	\$ 50,000.00	\$0.00	\$0.00	\$0.00
	3. Interior finishes - drywall, paint, floor, trim	1460	8 units	\$ 75,000.00	\$0.00	\$0.00	\$0.00
	4. Exterior finishes - doors, windows, siding	1460	8 units	\$ 60,000.00	\$0.00	\$0.00	\$0.00
	5. Plumbing upgrades	1460	8 units	\$ 75,000.00	\$0.00	\$0.00	\$0.00
	6. Electrical upgrades	1460	8 units	\$ 75,000.00	\$0.00	\$0.00	\$0.00
	7. HVAC upgrades	1460	8 units	\$ 75,000.00	\$0.00	\$0.00	\$0.00
	8. Roofing, metals, framing	1460	8 units	\$ 55,000.00	\$0.00	\$0.00	\$0.00
	9. Footings, foundations	1460	2 bldgs.	\$ 40,000.00	\$0.00	\$0.00	\$0.00
	10. Select Demolition	1460	2 bldgs.	\$ 20,000.00	\$0.00	\$0.00	\$0.00
	11. Site work, Landscape & drainage	1450	Site Wide	\$ 20,000.00	\$0.00	\$0.00	\$0.00
	12. Concrete/paving	1450	Site Wide	\$ 40,000.00	\$0.00	\$0.00	\$0.00
	13. Community Room	1470	1	\$ 50,000.00	\$0.00	\$0.00	\$0.00
PA 15-6, Fort	Development Activities	1499	100 units	\$ 50,000.00	\$50,000.00	\$0.00	\$0.00
Mason Village							
Administration	Construction of New Administration Office	1470	1	\$ 50,000.00	\$50,000.00	\$0.00	\$0.00
Office	Site Acquisition	1440	1	\$ 80,000.00	\$80,000.00	\$0.00	\$0.00

Office of

Table 1

PHA Name: Fayette County Housing Authority		Grant Type and Number Capital Fund Program Grant No:PA28P01550110		CFPP (Yes/No): No		Federal FFY of Grant:	
		Replacement Housing Factor Grant No:					
Development Number PHA-Wide Activities	General Description of Major Work Categories	Development Account No.	Quantity	Total Estimated Cost		Total Actual Cost	
				Original	Revised¹	Funds Obligated²	Funds Expended²

[illegible]

1 To be completed for the Performance and Evaluation Report or a Revised Annual Statement.

2 To be completed for the Performance and Evaluation Report.

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing
OMB No. 2577-0226
Expires 4/30/2011

Federal FFY of Grant: 2010

Federal FFY of Grant: 2010

[illegible]

Annual Statement/Performance and Evaluation Report
 Capital Fund Program, Capital Fund Program Replacement Housing Factor and
 Capital Fund Financing Program

U.S. Department of Housing and Urban Development
 Office of Public and Indian Housing
 OMB No. 2577-0226
 Expires 4/30/2011

Part I: Summary

PHA Name: Fayette County Housing Authority
Grant Type and Number: Capital Fund Program Grant No: PA28S01550109
 Replacement Housing Factor Grant No:

Federal FY of Grant:
 FFY of Grant Approval:
 2009

Date of CFFP:

Type of Grant
☐ Original Annual Statement
☐ Reserver for Disasters/Emergencies
☐ Performance and Evaluation Report for Period Ending

☐ Revised Annual Statement (revision no.)
☒ Final Performance and Evaluation Report

Line	No.	Summary by Development Account	Original	Total Estimated Cost	Revised ²	Obligated	Total Actual Cost ¹	Expended
1		Total non-CFP Funds						
2		1406 Operations (may not exceed 20% of line 21) ³	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
3		1408 Management Improvements	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
4		1410 Administration (may not exceed 10% of line 21)	\$ 86,100	\$ 4,947.96	\$ 4,947.96	\$ 4,947.96	\$ 4,947.96	\$ 4,947.96
5		1411 Audit	\$ 18,000	\$ 0.00	\$ 0.00	\$ -	\$ -	\$ -
6		1415 Liquidated Damages	\$ -	\$ -	\$ 0.00	\$ -	\$ -	\$ -
7		1430 Fees and Costs	\$ 357,907	\$ 194,393.66	\$ 194,393.66	\$ 194,393.66	\$ 194,393.66	\$ 194,393.66
8		1440 Site Acquisition	\$ -	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
9		1450 Site Improvement	\$ 552,000	\$ 492,806.50	\$ 492,806.50	\$ 492,806.50	\$ 492,806.50	\$ 492,806.50
10		1460 Dwelling Structures	\$ 1,793,000	\$ 1,846,020.22	\$ 1,846,020.22	\$ 1,846,020.22	\$ 1,846,020.22	\$ 1,846,020.22
11		1465.1 Dwelling Equipment—Nonexpendable	\$ -	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
12		1470 Non-dwelling Structures	\$ 365,000	\$ 633,838.66	\$ 633,838.66	\$ 633,838.66	\$ 633,838.66	\$ 633,838.66
13		1475 Non-dwelling Equipment	\$ -	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
14		1485 Demolition	\$ -	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
15		1492 Moving to Work Demonstration	\$ -	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
16		1495.1 Relocation Costs	\$ -	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
17		1499 Development Activities ⁴	\$ -	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
18		1501 Collateralization of Debt Service paid by PHA	\$ -	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
18a		9000 Collateralization of Debt Service paid Via System of Direct Payment	\$ -	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
19		1502 Contingency (may not exceed 8% of line 20)	\$ -	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
21		Amount of Annual Grant: (sum of lines 2-19)	\$ 3,172,007	\$ 3,172,007.00	\$ 3,172,007.00	\$ 3,172,007.00	\$ 3,172,007.00	\$ 3,172,007.00
22		Contingency Account Compared to Construction Accounts						
23		Amount of line 20 Related to LBP Activities						
24		Amount of line 20 Related to Section 504 Activities						
25		Amount of line 20 Related to Security—Soft Costs						
26		Amount of line 20 related to Security—Hard Costs						
27		Amount of line 20 Related to Energy Conservation Measures						

Signature of Executive Director

Date

Signature of Public Housing Director

Date

¹ To be completed for the Performance and Evaluation Report.
² To be completed for the Performance and Evaluation Report or a Revised Annual Statement.
³ PHAs with under 250 units in management may use 100% of CFP Grants for Operations.
⁴ RHF Funds shall be included here.

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing
OMB No. 2577-0226
Expires: 4/30/2011

Federal FFY of Grant: 2009

Federal FY of Grant: 2009

¹ To be completed for the Performance and Evaluation Report or a Revised Annual Statement.

Capital Fund Program, Capital Fund Program Replacement Housing Factor and
Capital Fund Financing Program

Office of Public and Indian Housing
OMB No. 2577-0226
Expires 4/30/2011

Part II: Supporting Pages

PHA Name:
Fayette County Housing Authority

Grant Type and Number
Capital Fund Program Grant No: PA28S01550109

CFFP (Yes/No): No

Federal FFY of Grant: 2009

Development Number Name/PHA-Wide Activities	General Description of Major Work Categories	Development Account No.	Quantity	Total Estimated Cost	Revised ¹	Funds Obligated ²	Funds Expended ²	Status of Work
From 2008								
PA 15-13, Marshall	504 Upgrades							
Manor AMP 1	1. Kitchens	1460	5 units	\$ 83,000.00	\$ 131,348.57	\$ 131,348.57	\$ 131,348.57	
	2. Bathrooms	1460	5 units	\$ 65,000.00	\$ 99,600.00	\$ 99,600.00	\$ 99,600.00	
	3. Electric upgrades	1460	5 units	\$ 128,000.00	\$ 68,112.15	\$ 68,112.15	\$ 68,112.15	
	4. Plumbing upgrades	1460	5 units	\$ 124,000.00	\$ 116,172.00	\$ 116,172.00	\$ 116,172.00	
	5. Community room	1470	1	\$ 69,000.00	\$ 37,036.74	\$ 37,036.74	\$ 37,036.74	
	6. Common areas/bathrooms/laundry room	1470	Site Wide	\$ 201,000.00	\$ 559,801.92	\$ 559,801.92	\$ 559,801.92	
	7. Handrails in hallways	1470	Site Wide	\$ 40,000.00	\$ 37,000.00	\$ 37,000.00	\$ 37,000.00	
	8. Concrete & paving	1450	Site Wide	\$ 185,000.00	\$ 127,000.00	\$ 127,000.00	\$ 127,000.00	
	9. Replace walkway	1450	Site Wide	\$ 102,000.00	\$ 34,952.00	\$ 34,952.00	\$ 34,952.00	
	10. Landscape	1450	Site Wide	\$ 25,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	
From 2007								
PA 15-15, Clarence	504 Upgrades							
Hess AMP 4	1. Kitchens	1460	3 units	\$ 15,000.00	\$ 7,514.10	\$ 7,514.10	\$ 7,514.10	
	2. Bathrooms	1460	3 units	\$ 28,000.00	\$ 7,222.50	\$ 7,222.50	\$ 7,222.50	
	3. Interior - drywall, paint, trim flooring, and shelving	1460	3 units	\$ 78,000.00	\$ 49,631.40	\$ 49,631.40	\$ 49,631.40	
	4. Exterior finishes - windows, doors	1460	3 units	\$ 78,000.00	\$ 259,510.73	\$ 259,510.73	\$ 259,510.73	
	5. Roofs	1460	3 units	\$ 40,000.00	\$ 62,363.70	\$ 62,363.70	\$ 62,363.70	
	6. Electrical upgrades	1460	3 units	\$ 79,000.00	\$ 24,394.34	\$ 24,394.34	\$ 24,394.34	
	7. Plumbing upgrades	1460	3 units	\$ 65,000.00	\$ 68,711.30	\$ 68,711.30	\$ 68,711.30	
	8. HVAC upgrades	1460	3 units	\$ 50.00	\$ 24,445.80	\$ 24,445.80	\$ 24,445.80	
	8. Site work, concrete	1450	Site Wide	\$ 40,000.00	\$ 17,211.60	\$ 17,211.60	\$ 17,211.60	
	9. Paving	1450	Site Wide	\$ 32,000.00	\$ 0.00	\$ 0.00	\$ 0.00	
	10. Landscape & drainage	1450	Site Wide	\$ 20,000.00	\$ 33,358.50	\$ 33,358.50	\$ 33,358.50	

1 To be completed for the Performance and Evaluation Report or a Revised Annual Statement.

2 To be completed for the Performance and Evaluation Report.

Capital Fund Program, Capital Fund Program Replacement Housing Factor and
Capital Fund Financing Program

Office of Public and Indian Housing
OMB No. 2577-0226
Expires 4/30/2011

Part II: Supporting Pages

PHA Name:		Grant Type and Number		Federal FFY of Grant: 2009				
Fayette County Housing Authority		Capital Fund Program Grant No:PA28S01550109		CEFP (Yes/No): No				
Replacement Housing Factor Grant No:								
Development Number Name/PHA-Wide Activities	General Description of Major Work Categories	Development Account No.	Quantity	Total Estimated Cost	Total Actual Cost	Status of Work		
				Original	Revised ¹	Funds Obligated ²	Funds Expended ²	
PA 15-17, Sembowe Terrace AMP 2	Replace Roofs 504 Upgrades	1460	5 bldgs.	\$ 160,000.00	\$183,002.40	\$183,002.40	\$183,002.40	From 5 Year Plan
	1. Kitchens	1460	2 units	\$ 31,000.00	\$23,220.00	\$23,220.00	\$23,220.00	
	2. Bathrooms	1460	2 units	\$ 16,000.00	\$12,105.00	\$12,105.00	\$12,105.00	
	3. Interior - drywall, paint, trim, flooring, and shelving	1460	2 units	\$ 32,000.00	\$42,390.00	\$42,390.00	\$42,390.00	
	4. Exterior finishes - windows, doors, siding	1460	2 units	\$ 78,000.00	\$183,268.80	\$183,268.80	\$183,268.80	
	5. Electrical upgrades	1460	2 units	\$ 49,000.00	\$20,475.00	\$20,475.00	\$20,475.00	
	6. Plumbing upgrades	1460	2 units	\$ 41,000.00	\$31,320.00	\$31,320.00	\$31,320.00	
	7. Site work, concrete	1450	Site Wide	\$ 27,000.00	\$168,210.00	\$168,210.00	\$168,210.00	
	8. Paving	1450	Site Wide	\$ 22,000.00	\$13,950.00	\$13,950.00	\$13,950.00	
	9. Landscape & drainage	1450	Site Wide	\$ 19,000.00	\$12,330.00	\$12,330.00	\$12,330.00	
	10. Roofs	1460	2 units	\$ 22,000.00	\$14,400.00	\$14,400.00	\$14,400.00	
	11. HVAC upgrades	1460	2 units	\$0.00	\$16,731.00	\$16,731.00	\$ 16,731.00	
HA-Wide	Administration:							
	Executive Director	1410	1	\$ 26,000.00	\$0.00	\$0.00	\$0.00	
	Executive Secretary	1410	1	\$ 5,800.00	\$0.00	\$0.00	\$0.00	
	Director of Finance	1410	1	\$ 7,600.00	\$0.00	\$0.00	\$0.00	
	Sr. Accountant	1410	1	\$ 3,000.00	\$0.00	\$0.00	\$0.00	
	Accountant	1410	1	\$ 2,200.00	\$0.00	\$0.00	\$0.00	
	Director of Funding & Asset Planning	1410	1	\$ 20,000.00	\$ 67.84	\$ 67.84	\$ 67.84	
	Administrative Assistant	1410	1	\$ 16,000.00	\$ 326.42	\$ 326.42	\$ 326.42	
	Administrator	1410	3	\$ 2,500.00	\$ 86.25	\$ 86.25	\$ 86.25	
	Purchasing Agent	1410	1	\$ 3,000.00	\$0.00	\$0.00	\$0.00	
	Audit	1411	1	\$ 18,000.00	\$0.00	\$0.00	\$0.00	

1 To be completed for the Performance and Evaluation Report or a Revised Annual Statement.

2 To be completed for the Performance and Evaluation Report.

Fees & Costs	Architectural & Engineering	1450	HA Wide	\$ 150,000.00	\$ 191,112.20	\$ 191,112.20	\$ 191,112.20
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Office of Public and Indian Housing
OMB No. 2577-0226
Expires 4/30/2011

Federal FFY of Grant: 2009

CFRP (Yes/No): No

- 1 To be completed for the Performance and Evaluation Report or a Revised Annual Statement.
- 2 To be completed for the Performance and Evaluation Report.

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing
OMB No. 2577-0226
Expires 4/30/2011

Reasons for Revised Target Dates 1

[illegible]

Annual Statement/Performance and Evaluation Report
Capital Fund Program, Capital Fund Program Replacement Housing Factor and
Capital Fund Financing Program

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing
OMB No. 2577-0226
Expires 4/30/2011

Part I: Summary

PHA Name: Fayette County Housing Authority
Grant Type and Number: Capital Fund Program Grant No: Replacement Housing Factor Grant No: PA28R01550108
Date of CFFP:

Federal FY of Grant: 2008
FFY of Grant Approval:

Type of Grant
☐ Original Annual Statement
☐ Reserver for Disasters/Emergencies
☐ Performance and Evaluation Report for Period Ending
☐ Revised Annual Statement (revision no:)
☒ Final Performance and Evaluation Report

Line No.	Summary by Development Account	Original	Total Estimated Cost	Revised ²	Obligated	Total Actual Cost ¹	Expended
1	Total non-CFP Funds	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
2	1406 Operations (may not exceed 20% of line 21) ³	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
3	1408 Management Improvements	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
4	1410 Administration (may not exceed 10% of line 21)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
5	1411 Audit	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
6	1415 Liquidated Damages	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
7	1430 Fees and Costs	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
8	1440 Site Acquisition	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
9	1450 Site Improvement	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10	1460 Dwelling Structures	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
11	1465.1 Dwelling Equipment—Nonexpendable	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
12	1470 Non-dwelling Structures	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
13	1475 Non-dwelling Equipment	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
14	1485 Demolition	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
15	1492 Moving to Work Demonstration	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
16	1495.1 Relocation Costs	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
17	1499 Development Activities ⁴	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
18	1501 Collateralization of Dept Service paid by PHA	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
18a	9000 Collateralization of Debt Service paid Via System of Direct Payment	\$584,448.00	\$584,448.00	\$584,448.00	\$584,448.00	\$584,448.00	\$584,448.00
19	1502 Contingency (may not exceed 8% of line 20)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
21	Amount of Annual Grant: (sum of lines 2-19)	\$584,448.00	\$584,448.00	\$584,448.00	\$584,448.00	\$584,448.00	\$584,448.00
22	Contingency Account Compared to Construction Accounts						
23	Amount of line 20 Related to LBP Activities						
24	Amount of line 20 Related to Section 504 Activities						
25	Amount of line 20 Related to Security—Soft Costs						
26	Amount of line 20 Related to Security—Hard Costs						
27	Amount of line 20 Related to Energy Conservation Measures						

Signature of Executive Director

Date

Signature of Public Housing Director

Date

Robert Z. [Signature]

4-13-11

¹ To be completed for the Performance and Evaluation Report.
² To be completed for the Performance and Evaluation Report or a Revised Annual Statement.
³ PHAs with under 250 units in management may use 100% of CFP Grants for Operations.
⁴ RHF Funds shall be included here.

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing
OMB No. 2577-0226
Expires 4/30/2011

[illegible]

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing
OMB No. 2577-0226
Expires 4/30/2011

Federal FY of Grant: 2008

Development Number Name/HA-

Wide Activities

All Funds Obligated
(Quarter Ending Date)All Funds Expended
(Quarter Ending Date)

Reasons for Revised Target Dates 1

[illegible]

Obligation and expenditure end date can only be revised with HUD approval pursuant to Section 9j of the U.S. Housing Act of 1937, as amended.

Annual Statement/Performance and Evaluation Report
Capital Fund Program, Capital Fund Program Replacement Housing Factor and
Capital Fund Financing Program

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing
OMB No. 2577-0226
Expires 4/30/2011

Part I: Summary

PHA Name: Fayette County Housing Authority	Grant Type and Number Capital Fund Program Grant No: Replacement Housing Factor Grant No: PA28R01550109	Federal FY of Grant: 2009 FFY of Grant Approval:
Type of Grant <input checked="" type="checkbox"/> Original Annual Statement <input type="checkbox"/> Reserver for Disasters/Emergencies		Revised Annual Statement (revision no:) <input type="checkbox"/> Final Performance and Evaluation Report
Performance and Evaluation Report for Period Ending 12/31/2010		

Line	No.	Summary by Development Account	Original	Total Estimated Cost	Revised ²	Obligated	Total Actual Cost ¹	Expended
1		Total non-CFP Funds						
2		1406 Operations (may not exceed 20% of line 21) ³	\$0.00		\$0.00		\$0.00	\$0.00
3		1408 Management Improvements	\$0.00		\$0.00		\$0.00	\$0.00
4		1410 Administration (may not exceed 10% of line 21)	\$0.00		\$0.00		\$0.00	\$0.00
5		1411 Audit	\$0.00		\$0.00		\$0.00	\$0.00
6		1415 Liquidated Damages	\$0.00		\$0.00		\$0.00	\$0.00
7		1430 Fees and Costs	\$0.00		\$0.00		\$0.00	\$0.00
8		1440 Site Acquisition	\$0.00		\$0.00		\$0.00	\$0.00
9		1450 Site Improvement	\$0.00		\$0.00		\$0.00	\$0.00
10		1460 Dwelling Structures	\$0.00		\$0.00		\$0.00	\$0.00
11		1465.1 Dwelling Equipment—Nonexpendable	\$0.00		\$0.00		\$0.00	\$0.00
12		1470 Non-dwelling Structures	\$0.00		\$0.00		\$0.00	\$0.00
13		1475 Non-dwelling Equipment	\$0.00		\$0.00		\$0.00	\$0.00
14		1485 Demolition	\$0.00		\$0.00		\$0.00	\$0.00
15		1492 Moving to Work Demonstration	\$0.00		\$0.00		\$0.00	\$0.00
16		1495.1 Relocation Costs	\$0.00		\$0.00		\$0.00	\$0.00
17		1499 Development Activities ⁴	\$0.00		\$0.00		\$0.00	\$0.00
18		1501 Collateralization of Debt Service paid by PHA	\$0.00		\$0.00		\$0.00	\$0.00
18a		9000 Collateralization of Debt Service paid Via System of Direct Payment	\$528,634.00		\$528,634.00		\$469,318.00	\$436,642.47
19		1502 Contingency (may not exceed 8% of line 20)	\$0.00		\$0.00		\$0.00	\$0.00
21		Amount of Annual Grant: (sum of lines 2-19)	\$528,634.00		\$528,634.00		\$469,318.00	\$436,642.47
22		Contingency Account Compared to Construction Accounts						
23		Amount of line 20 Related to LBP Activities						
24		Amount of line 20 Related to Section 504 Activities						
25		Amount of line 20 Related to Security—Soft Costs						
26		Amount of line 20 related to Security—Hard Costs						
27		Amount of line 20 Related to Energy Conservation Measures						
Signature of Executive Director <i>Thomas Z. Blanton</i>			Date 4-13-11	Signature of Public Housing Director		Date		

¹ To be completed for the Performance and Evaluation Report.
² To be completed for the Performance and Evaluation Report or a Revised Annual Statement.
³ PHAs with under 250 units in management may use 100% of CFP Grants for Operations.
⁴ RHF Funds shall be included here.

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing
OMB No. 2577-0226
Expires 4/30/2011

PHA Name:

[illegible]

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing
OMB No. 2577-0226
Expires 4/30/2011

PHA Name: Fayette County Housing Authority

Federal FY of Grant: 2009

[illegible]

Obligation and expenditure end date can only be revised with HUD approval pursuant to Section 9j of the U.S. Housing Act of 1937, as amended.

Annual Statement/Performance and Evaluation Report
 Capital Fund Program, Capital Fund Program Replacement Housing Factor and
 Capital Fund Financing Program

U.S. Department of Housing and Urban Development
 Office of Public and Indian Housing
 OMB No. 2577-0226
 Expires 4/30/2011

Part I: Summary

PHA Name: Fayette County Housing Authority	Grant Type and Number Capital Fund Program Grant No: Replacement Housing Factor Grant No: PA288R01550209	Federal FY of Grant: 2009 FFY of Grant Approval:
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Type of Grant
☐ Original Annual Statement
☐ Reserver for Disasters/Emergencies
☒ Performance and Evaluation Report for Period Ending 12/31/2010
☐ Revised Annual Statement (revision no:)
☐ Final Performance and Evaluation Report

Line No.	Summary by Development Account	Original	Total Estimated Cost	Revised ²	Obligated	Total Actual Cost ¹	Expended
1	Total non-CFP Funds						
2	1406 Operations (may not exceed 20% of line 21) ²	\$0.00		\$0.00		\$0.00	\$0.00
3	1408 Management Improvements	\$0.00		\$0.00		\$0.00	\$0.00
4	1410 Administration (may not exceed 10% of line 21)	\$0.00		\$0.00		\$0.00	\$0.00
5	1411 Audit	\$0.00		\$0.00		\$0.00	\$0.00
6	1415 Liquidated Damages	\$0.00		\$0.00		\$0.00	\$0.00
7	1430 Fees and Costs	\$0.00		\$0.00		\$0.00	\$0.00
8	1440 Site Acquisition	\$0.00		\$0.00		\$0.00	\$0.00
9	1450 Site Improvement	\$0.00		\$0.00		\$0.00	\$0.00
10	1460 Dwelling Structures	\$0.00		\$0.00		\$0.00	\$0.00
11	1465 1 Dwelling Equipment—Nonexpendable	\$0.00		\$0.00		\$0.00	\$0.00
12	1470 Non-dwelling Structures	\$0.00		\$0.00		\$0.00	\$0.00
13	1475 Non-dwelling Equipment	\$0.00		\$0.00		\$0.00	\$0.00
14	1485 Demolition	\$0.00		\$0.00		\$0.00	\$0.00
15	1492 Moving to Work Demonstration	\$0.00		\$0.00		\$0.00	\$0.00
16	1495.1 Relocation Costs	\$0.00		\$0.00		\$0.00	\$0.00
17	1499 Development Activities ⁴	\$0.00		\$0.00		\$0.00	\$0.00
18	1501 Collateralization of Dept Service paid by PHA	\$0.00		\$0.00		\$0.00	\$0.00
18a	9000 Collateralization of Debt Service paid Via System of Direct Payment	\$11,430.00		\$11,430.00		\$0.00	\$0.00
19	1502 Contingency (may not exceed 8% of line 20)	\$0.00		\$0.00		\$0.00	\$0.00
21	Amount of Annual Grant: (sum of lines 2-19)		\$11,430.00	\$11,430.00		\$0.00	\$0.00
22	Contingency Account Compared to Construction Accounts						
23	Amount of line 20 Related to LBP Activities						
24	Amount of line 20 Related to Section 504 Activities						
25	Amount of line 20 Related to Security—Soft Costs						
26	Amount of line 20 Related to Security—Hard Costs						
27	Amount of line 20 Related to Energy Conservation Measures						

Signature of Executive Director <i>Thomas Z. Adams</i>	Date 4-13-11	Signature of Public Housing Director	Date
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U.S. Department of Housing and Urban Development
Office of Public and Indian Housing
OMB No. 2577-0226
Expires 4/30/2011

PHA Name:	Grant Type and Number	CFFP (Yes/No):	Federal FFY of Grant:	2009
Fayette County Housing Authority	Capital Fund Program Grant No: Replacement Housing Factor Grant No:PA28R01550209	No		

[illegible]

1 To be completed for the Performance and Evaluation Report or a Revised Annual Statement.

² To be completed for the Performance and Evaluation Report.

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing
OMB No. 2577-0226
Expires 4/30/2011

Federal FY of Grant: 2009

Federal FY of Grant: 2009

[illegible]

Annual Statement/Performance and Evaluation Report
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 Capital Fund Financing Program

U.S. Department of Housing and Urban Development
 Office of Public and Indian Housing
 OMB No. 2577-0226
 Expires 4/30/2011

Part I: Summary

PHA Name: Fayette County Housing Authority	Grant Type and Number Capital Fund Program Grant No: Replacement Housing Factor Grant No: PA28R01550110	Federal FY of Grant: 2010 FFY of Grant Approval:
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Type of Grant: ☐ Original Annual Statement ☐ Reserver for Disasters/Emergencies ☐ Revised Annual Statement (revision no:)
☒ Performance and Evaluation Report for Period Ending 12/31/2010 ☐ Final Performance and Evaluation Report

Line No.	Summary by Development Account	Original	Total Estimated Cost	Revised ²	Obligated	Total Actual Cost ¹	Expended
1	Total non-CFP Funds						
2	1406 Operations (may not exceed 20% of line 21) ³	\$0.00		\$0.00		\$0.00	\$0.00
3	1408 Management Improvements	\$0.00		\$0.00		\$0.00	\$0.00
4	1410 Administration (may not exceed 10% of line 21)	\$0.00		\$0.00		\$0.00	\$0.00
5	1411 Audit	\$0.00		\$0.00		\$0.00	\$0.00
6	1415 Liquidated Damages	\$0.00		\$0.00		\$0.00	\$0.00
7	1430 Fees and Costs	\$0.00		\$0.00		\$0.00	\$0.00
8	1440 Site Acquisition	\$0.00		\$0.00		\$0.00	\$0.00
9	1450 Site Improvement	\$0.00		\$0.00		\$0.00	\$0.00
10	1460 Dwelling Structures	\$0.00		\$0.00		\$0.00	\$0.00
11	1465.1 Dwelling Equipment—Nonexpendable	\$0.00		\$0.00		\$0.00	\$0.00
12	1470 Non-dwelling Structures	\$0.00		\$0.00		\$0.00	\$0.00
13	1475 Non-dwelling Equipment	\$0.00		\$0.00		\$0.00	\$0.00
14	1485 Demolition	\$0.00		\$0.00		\$0.00	\$0.00
15	1492 Moving to Work Demonstration	\$0.00		\$0.00		\$0.00	\$0.00
16	1495.1 Relocation Costs	\$0.00		\$0.00		\$0.00	\$0.00
17	1499 Development Activities ⁴	\$0.00		\$0.00		\$0.00	\$0.00
18	1501 Collateralization of Dept Service paid by PHA	\$0.00		\$0.00		\$0.00	\$0.00
18a	9000 Collateralization of Debt Service paid Via System of Direct Payment	\$461,686.00		\$461,686.00		\$0.00	\$0.00
19	1502 Contingency (may not exceed 8% of line 20)	\$0.00		\$0.00		\$0.00	\$0.00
21	Amount of Annual Grant: (sum of lines 2-19)	\$461,686.00		\$461,686.00		\$0.00	\$0.00
22	Contingency Account Compared to Construction Accounts						
23	Amount of line 20 Related to LBP Activities						
24	Amount of line 20 Related to Section 504 Activities						
25	Amount of line 20 Related to Security--Soft Costs						
26	Amount of line 20 Related to Security--Hard Costs						
27	Amount of line 20 Related to Energy Conservation Measures						

Signature of Executive Director <i>Thomas Z. [Signature]</i>	Date 4-13-11	Signature of Public Housing Director	Date
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OMB No. 2577-0226
Expires 4/30/2011

PHA Name: Fayette County Housing Authority

Federal FTY of Grant: 2010

[illegible]

Annual Statement/Performance and Evaluation Report
 Capital Fund Program, Capital Fund Program Replacement Housing Factor and
 Capital Fund Financing Program

U.S. Department of Housing and Urban Development
 Office of Public and Indian Housing
 OMB No. 2577-0226
 Expires 4/30/2011

Part I: Summary

PHA Name: Fayette County Housing Authority	Grant Type and Number Capital Fund Program Grant No: Replacement Housing Factor Grant No: PA28R01550210	Federal FY of Grant: 2010 FFY of Grant Approval:
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Type of Grant: ☐ Original Annual Statement ☐ Reserver for Disasters/Emergencies ☐ Revised Annual Statement (revision no:)
☒ Performance and Evaluation Report for Period Ending 12/31/2010 ☐ Final Performance and Evaluation Report

Line	No.	Summary by Development Account	Original	Total Estimated Cost	Revised 2	Obligated	Total Actual Cost 1	Expended
1		Total non-CFP Funds						
2		1406 Operations (may not exceed 20% of line 21) 3	\$0.00		\$0.00		\$0.00	\$0.00
3		1408 Management Improvements	\$0.00		\$0.00		\$0.00	\$0.00
4		1410 Administration (may not exceed 10% of line 21)	\$0.00		\$0.00		\$0.00	\$0.00
5		1411 Audit	\$0.00		\$0.00		\$0.00	\$0.00
6		1415 Liquidated Damages	\$0.00		\$0.00		\$0.00	\$0.00
7		1430 Fees and Costs	\$0.00		\$0.00		\$0.00	\$0.00
8		1440 Site Acquisition	\$0.00		\$0.00		\$0.00	\$0.00
9		1450 Site Improvement	\$0.00		\$0.00		\$0.00	\$0.00
10		1460 Dwelling Structures	\$0.00		\$0.00		\$0.00	\$0.00
11		1465.1 Dwelling Equipment—Nonexpendable	\$0.00		\$0.00		\$0.00	\$0.00
12		1470 Non-dwelling Structures	\$0.00		\$0.00		\$0.00	\$0.00
13		1475 Non-dwelling Equipment	\$0.00		\$0.00		\$0.00	\$0.00
14		1485 Demolition	\$0.00		\$0.00		\$0.00	\$0.00
15		1492 Moving to Work Demonstration	\$0.00		\$0.00		\$0.00	\$0.00
16		1495.1 Relocation Costs	\$0.00		\$0.00		\$0.00	\$0.00
17		1499 Development Activities 4	\$0.00		\$0.00		\$0.00	\$0.00
18		1501 Collateralization of Debt Service paid by PHA	\$0.00		\$0.00		\$0.00	\$0.00
18a		9000 Collateralization of Debt Service paid Via System of Direct Payment	\$111,506.00		\$111,506.00		\$0.00	\$0.00
19		1502 Contingency (may not exceed 8% of line 20)	\$0.00		\$0.00		\$0.00	\$0.00
21		Amount of Annual Grant: (sum of lines 2-19)	\$111,506.00		\$111,506.00		\$0.00	\$0.00
22		Contingency Account Compared to Construction Accounts						
23		Amount of line 20 Related to LBP Activities						
24		Amount of line 20 Related to Section 504 Activities						
25		Amount of line 20 Related to Security—Soft Costs						
26		Amount of line 20 related to Security—Hard Costs						
27		Amount of line 20 Related to Energy Conservation Measures						
Signature of Executive Director			Date		Signature of Public Housing Director		Date	
<i>Thomas Z. [Signature]</i>			4-13-11					

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U.S. Department of Housing and Urban Development
Office of Public and Indian Housing
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Expires 4/30/2011

Federal FY of Grant: 2009

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[illegible]

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5.2 Goals and Objectives for AMP 001

2011/2012

1. PHA Goal: Reduce public housing vacancies

Since the formation of the new AMP management system our vacancies have decreased from 4% to 3%. Continued marketing and superior service should continue to reduce this percentage in the near future.

2. PHA Goal: Leverage private or other public funds to create additional housing opportunities.

- a. We have established a Non-profit which will enable us to grow. We own property in Perryopolis where there is currently a high demand for an elderly hi-rise. Now is the time.
- b. We are acquiring other developments - Currently a non-profit elderly high-rise called the Heritage in downtown Uniontown is facing financial funding difficulties & we are acquiring this development & will continue to provide public housing to those elderly residents.

3. PHA Goal: Improve the quality of assisted housing

- a. Improve public housing management (PHAS score)
- b. Increase customer satisfaction by working hard to improve the curb appeal, quality of our stock, & continue to give prompt & courteous service to our residents
- c. Improve specific management functions such as financial reporting, unit inspections, upgrade inventory products etc.
- d. Renovate or modernize public housing units
- e. As the construction for the 504 handicap units take place at each high-rise, we are renovating & upgrading the buildings. This encompasses things such as installing new carpeting in the common areas, new hand rails, etc. Our biggest challenge will be the renovating & modernizing the White Swan Apartments high-rise which would require a large amount of capital funding.
- f. To improve curb appeal we must improve the landscaping at each site.

. . .

PHA Goal: Increase assisted housing choices.

a. Implement public housing site-based waiting lists

We have site based waiting lists at all of our sites.

PHA Goal: Provide an improved living environment.

a. Implement public housing security improvements.

1. Improve the fire systems within our facilities:
2. Implement public housing security improvements:

PHA Goal: Promote self-sufficiency and asset development of assisted households.

- a. **Provide or attract supportive services to increase independence for the elderly or families with disabilities.**

We have worked well with the Area Agency on Aging, Protective Services & our own Senior Services to help those who are starting to fail.

PHA Goal: Ensure Equal Opportunity in Housing for all Americans.

- a. We have always & will continue to provide a suitable living environment for families living in assisted housing, regardless of race, color, religion, national origin, sex, familial status, and disability.
- b. We also undertake affirmative measures to ensure accessible housing to persons with all varieties of disabilities regardless of unit size required

7.0

NA

9.0 Housing Needs. See Housing Needs Chart

9.1 Strategy for Addressing Housing Needs

(1) Strategies

Need: Making sure that there is affordable housing for Elderly or near elderly population

Strategy 1. Maximize within the current PHA stock the number of available units:

- a. **Effective use of management & maintenance policies & procedures to minimize the number of units offline**
- b. **Ensure that renovations are made in a quick & timely manner**
- c. **Reduce turnover time on vacant apartments**
- d. **Seek possible replacement of housing units lost to mixed financing or section 8 vouchers**
- e. **Participate in a Consolidated plan development to make sure they conform to the surrounding community**

Need: Targeting Elderly with income below 30% of median income

Strategy 1. Making sure those elderly population who's income falls below 30% of median income are aware of their public housing options.

Need: Special accommodations the part of the population with Disabilities

Strategy 1. Target available assistance to families with disabilities

- a. Provide renovations to facilities based on 504 Needs assessment for Public Housing.

10.0 Progress in meeting goals

- a. Reduction of vacancy loss & vacant unit turnaround time
- b. Successfully meeting the challenge of providing decent, safe, and sanitary housing with the continued liability of reductions in operating subsidy & capital funding.

**Phil Jones
Housing Administrator**

GOALS AND OBJECTIVES
AMP – 2
BIERER WOOD ACRES, EAST VIEW TERRACE, SEMBOWER
TERRACE, CROSSLAND PLACE, SCATTERED SITES

The Administrative goals that have been achieved are as follows:

- We have maintained a vacancy rate of 5% or less.
- We have a work order completion rate of 95% or better.
- Emergency work orders are 100% complete within 24 hours.
- Tenants are satisfied with the treatment and services that we provide.
- We received a 90% REAC score for Amp 2.
- We have been able to reduce our accounts receivables to less than 6%.

The Administrative goals that we wish to achieve:

- To maintain the good numbers that we have achieved.
- Continue to provide training for the staff.
- To reach a higher level of preventative maintenance – being able to contract out to other businesses the more intense jobs.
- To focus more on curb appeal.
- We want to achieve a better unit turnaround time.
- We want to reduce our accounts receivable to less than 4%.

The projects that have been completed from the previous 5-Year Plans are as follows:

- More parking for the Uniontown Hospital which provides money for Amp 2.
- Ameresco has come in and replaced plumbing and electrical items to save money.
- Roofs have been replaced at Sembower Terrace.
- 504 Handicap Units have been completed at Sembower Terrace (2) and Crossland Place (2).

Projects that we would like to see completed in the next 5-Year Plan which may or may not be currently on the agenda:

1. **Scattered Sites**

- New roofs are badly needed.
- Windows
- Gutters
- Siding and brick
- Entrance doors
- Downspouts
- Kitchen Cabinets

Estimated Cost: \$350,000.00

2. **East View Terrace**

- New boilers (92)
- New siding
- Kitchen cabinets in 50% of units

Estimated Cost: \$80,000.00

3. **Crossland Place**

- Complete bathroom remodel
- Siding needs replaced on one building.
- New roofs are needed.
- Entrance doors (80).
- Gutters and downspouts.

Estimated Cost: \$400,000

4. **Oliver Heights**

- Complete re-gutting of the buildings

Estimated Cost: \$3-5 Million

5. **Bierer Wood Acres**

- Ongoing talks on the development of Bierer Wood Acres and The Uniontown Hospital.
- Entrance doors are needed

A major goal for the future is developing the Project with The Uniontown Hospital. Units built for the elderly are needed in this area. The land is a prime location being beside the Hospital. The combination of our housing

and the services provided by the Hospital could be a great combination. This would be a great opportunity for us to manage and maintain. Also, the Non Profit could build different types of buildings for businesses to compliment the project on our land.

In Amp 2, we enjoy the location of the City of Uniontown. Vacancies are not a problem, and we are trying to get more of the working people into our communities. We have to continue to maintain the locations in good repair and take advantage of the opportunities to build when they come around.

James Claar
Housing Administrator
Amp 2

FAYETTE COUNTY HOUSING AUTHORITY

AMP 3

Gibson Terrace – Connellsville, PA
Lemont Heights – Lemont Furnace, PA

5.2 Goals and Objectives for Amp 3

2011/2012

Our goal is to increase the availability of decent, safe and affordable housing. The objectives are to reduce public housing vacancies by improving public housing management, increase customer satisfaction, and concentrate on efforts to improve specific management functions, and renovate or modernize public housing units as needed.

To implement measures to de-concentrate poverty by bringing higher income households into lower income developments, and implement public housing security improvements. Utility allowance rates are monitored and adjusted to reflect changing utility rates.

Promote self-sufficiency and asset development of assisted households. Increase the number and percentage of employed persons, provide supportive services to improve public assistance recipients' employability, provide supportive services to increase independence for the elderly of families with disabilities.

Ensure Equal Opportunity in Housing regardless of race, color, religion, national origin, sex, familial status, and disability; to ensure accessible housing to persons with all varieties of disabilities regardless of unit size required.

I. Property

A. Gibson Terrace – located in Connellsville, PA. It consists of 142 units in 23 buildings. It was originally built in 1942. Gibson Terrace recently underwent renovations taking it from 150 units to 142 units. Four of the buildings went from six units to four units making them all on one floor. The 16 units consist of eight (8) 504 compliant handicap units; 1-4 bedroom, 2-3 bedroom, 3-2 bedroom and 2-1 bedroom. The other eight units are standard, but are on one floor. These renovations began in 2001 and were completed in 2008.

B. Lemont Heights – located in Lemont Furnace, PA. Lemont Heights is a family public housing complex consisting of 24 units in 12 buildings. It was originally built in 1986.

II. Demographics

A. Gibson Terrace

1-Bedroom Units	31
2-Bedroom Units	58
3-Bedroom Units	44
4-Bedroom Units	<u>09</u>
Total	142

B. Lemont Furnace

All 24 units are 3-Bedroom.

The overall plan for the properties is as follows:

- Reduce vacancies to 2%
- Collect 97% of the rent
- Reduce non-emergency work orders within 2 days
- Conduct 100% of the Annual Housekeeping Inspections and Re-examinations.

PHYSICAL NEEDS ASSESSMENT

15-3 Gibson Terrace age 69 years

Gibson Terrace was last renovated in 1990. It is in need of new entrance doors and storm doors, replacement windows, complete renovation in kitchen including new countertops, kitchen cabinets, new sub floors and floors, bathroom needs new fixtures including tub and tub surround, and laundry room floors, upgrade the heating system with new energy efficient boilers, replace gutters with seamless gutters, replace porch roof's. Estimated cost \$5,732,300.00.

15-24 Lemont Heights age 24 years

Lemont Heights was built in 1986 and has not been up-graded. It will need to be completely renovated. It will need new entrance doors and storm doors, replacement windows, install additional insulation, remodel kitchens with new countertops and kitchen cabinets, new floors, the bathrooms need new tubs and tub surround, up-grade electrical systems currently heated with electric baseboard heat, we should install a more efficient heating system, and up-grade plumbing systems, new roof's and gutters are needed. Also, we must convert two units to 504 compliance. Estimated cost \$1,293,600.00.

We need to replace 100 20-year old gas stoves at Gibson Terrace at a cost of \$35,000.00.

Also, we need \$2,000.00 for continued training and travel.

Recently, we worked on making our sites more energy efficient by:

- Replacing appliances as needed with energy star rated ones thus reducing energy cost.
- Replacing incandescent light bulbs with energy efficient fluorescent light bulbs.
- Replacement of toilets, faucet aerators, and shower heads as needed with water saver models.

Ed Kalix
Housing Administrator

AMP 4
Annual & 5 Year Plan
By paragraph details:

5.2 Goals & Objectives: The single largest objective for FYE 2011 is to reduce the number of vacancies occurring at Ft Mason Village Pa 15-06; and to maintain a steady vacancy rate at less than 2% for the entire AMP. Because of past drug and crime problems occurring at Ft Mason Village over the last 15 years, many tenants have moved out, and applicants are reluctant to move in because of the perception that drugs and crime are still a problem. In reality, the past four years have shown a dramatic reduction in all crimes, both on the property and domestically within the apartments. This came about because new AMP management worked together with local law enforcement in identifying problem units and evicting those tenants who harbored criminals and drug dealers. Over the past year the Masontown city council has commented on how quiet it has been and how the police are spending less time in our AMP unlike in the past.

But despite our success in eliminating real problems, there still exists perceived problems from the public at large which accounts for our chronic 7% to 9% vacancy rate at Ft Mason. Despite repeated attempts to utilize positive marketing and peer recommendations, we still can not break the 5% vacancy threshold. In order to meet new guidelines for PHAS mandates that all AMP's meet or exceed a 98% occupancy rate, we have utilized a combination of weekend unit painting by our maintenance staff as well as making use of a newly hired painting company to paint particularly large or distressed units..

6.0 PHA Plan Update: The only significant change that has occurred within the AMP structure is the revision of the FCHA 504 time table. Ft Mason was slated for early 504 conversions in the 2009 – 2010 time frame but for funding concerns that did not happen, but 504 conversions did occur at 15-15 Clarence Hess.

7.0 (b), Demolition and/or 504 Replacement:

- (1) Description:** AMP 4 proposes to renovate 2 buildings that comprise 16 total units all within the confines of Ft. Mason Village Pa 15-06 located in the Borough of Masontown, Pennsylvania. The building numbers and unit numbers are as follows:

Bldg #	Unit #	# Bedrooms	Accessibility Y/N
A-4	26	1	N
A-4	27	3	N
A-4	28	2	N
A-4	29	2	N
A-4	30	2	N
A-4	31	2	N
A-4	32	3	N
A-4	33	4	N
A-6	18	1	N
A-6	19	3	N
A-6	20	2	N
A-6	21	2	N
A-6	22	2	N
A-6	23	2	N

A-6	24	3	N
A-6	25	4	N

(2) Timetable: Keeping in mind that all completion dates are estimates only and are dependent on a problematic funding reduction proposed by HUD. These dates may be pushed back as much as two years.

Action	Start Date	Expected Completion Date
Annual Plan submission	04/2011	
HUD Approval of Plan	07/2011	
Relocation Plan Development & Implementation	08/2011	12/2011
Required Studies	10/2011	04/2012
Rehab	09/2012	04/2013

9.0 Housing Needs: There are 5 sites that comprise AMP 4, and they are as follows:

Site Name	# Units	# Occ.	Ex Low Inc.	Very Low Inc	Low income
15-06 Ft Mason Village	100	80	78%	18%	4%
15-15 Clarence Hess	50	49	71%	25%	4%
15-19 Fairchance	28	28	68%	25%	7%
15-26 Outcrop I	32	32	80%	17%	3%
15-31 Outcrop II	20	20	80%	15%	5%

As was explained in 5.2, all sites with the exception of Ft Mason have very little vacancy issues and because of the size of the sites, have little crime because of their rural locations. In order to meet the 504 accessibility guidelines, Outcrop I & II, Hess and Fairchance have already been renovated to meet the 5% guidelines. Masontown is slated to have work done on them in 2011 and 2012 so they also meet these guidelines. It is also clear that extremely low incomes dominate the populations in all five sites which puts an economic strain on our AMP budget. HUD guidelines mandate no less than 40% extremely low incomes for each site; and it is our intention and desire to house future applicants with an eye towards meeting that goal precisely.

Once demolition and 504 construction has been completed, this AMP will finally have a full and stable population in which a real waiting list should grow. In this way, we can house tenants according to established income guidelines and grow our rent roll so that our administration and maintenance goals can be met without fear of a deficit.

9.1 Strategy for Addressing Housing Needs: As I explained in 7.0, AMP 4 will embark on an ambitious plan to blitz currently empty units with current maintenance staff as well as contracted labor from outside painting companies. We have also contracted with the local police department for above baseline police patrols and weekly random patrols with a newly purchased K-9 drug sniffing dog to patrol Ft Mason and Hess. With the current economic and housing crisis occurring both locally and nationwide, our AMP has seen a dramatic increase in applications for housing, and a stronger than usual waiting list. This gives us the dual ability to fill units faster and be more selective in the tenant we do house in an effort to increase the social stability within our communities.

Wants & Needs: In developing a list of needed repairs to the building stock of AMP 4, I utilized the physical needs assessment developed by Sleighter Engineering on August 2007. This list will be prioritized by most urgent repairs for each site within the AMP. Costs are estimates gleaned from the needs assessment and adjusted by site as repairs worsen. All repairs are either needed as of last year or at worst, by next year; unfortunately, fiscal restraints dictate who and where any repairs might occur. All soft cost budgeting will appear at the end of this list.

Ft Mason Village Pa 15-06

Description of Repair	Cost
Replacement of obsolete furnaces	\$350,000
Replace all existing outside electrical entrance boxes	\$106,200
Replace all exterior and storm doors	\$260,000
Repair or replace existing fascia brick and point mortar	\$52,400
Replace bathroom tubs, faucets, and flooring	\$281,700
Replace all kitchen counters & sinks	\$100,000
Install concrete slab for dumpster, and gravel access road	\$50,000
Garage addition for truck storage	\$35,000
Total	\$1,235,300

Clarence Hess Pa 15-15

Description of Repair	Cost
Replace desperately needed roofs on all buildings	\$272,200
Replace all retaining walls, falling apart	\$208,200
Bathroom showers & tubs	\$75,700
Kitchen counters & sinks	\$37,200
Total	\$593,300

Fairchance Pa 15-19

Description of Repair	Cost
Replace existing storm doors, too heavy for frame and sagging	\$21,000
Replace all roofs	\$131,300
Total	\$152,300

Outcrop I Pa 15-26

Description of Repair	Cost
Replace all furnaces	\$112,000
Replace all roofs	\$146,300
Replace all exterior & storm doors	\$113,600
Replace all outside electrical sub panels	\$150,000
Replace all interior doors	\$75,000
Replace all windows	\$272,500
Total	\$869,400

Outcrop II Pa 15-31

Description of Repair	Cost
Replace all exterior doors & storm doors	\$75,000
AMP Total	\$2,794,000

Soft Cost Request AMP 4

Staff Training & Travel	\$5,000
Fixed Asset Items (Refrigerator, Ranges etc.)	\$10,000
Total	\$15,000

Goals & Objectives for AMP 5

South Hill Terrace, Snowden Terrace, Marion Villa, Luzerne Terrace

The Administrative goals that have been achieved are as follows:

- We are continuing to reduce our vacancy rate. February 2010 was 3%, we are now achieving a 2% rate for February 2011.
- Emergency work orders are 100% complete within 24 hours.
- Tenant generated work orders are 100% complete within 3 days.
- Tenants are satisfied with their units and services which the staff provides to them.
- Completed landscaping at all sites to enhance curb appeal.

The Administrative goals that we wish to achieve:

- Maintain our current excellent vacancy rate.
- Maintain a work order completion rate of 90% or better.
- Continue improvement of vacant unit start to move in time.
- Make sure accounts receivables are 5% or lower.
- Complete 100% of re-exams and unit inspection
- Install new playground equipment at Snowden Terrace. These items have already been ordered.
- Beginning to install some kitchen cabinets at South Hill Terrace.

The Projects that have been completed from the previous 5 year plans are:

- Completed demolition of 55 units at South Hill Terrace
From 118 units down to 63.

Projects that need to be completed in the next 5 year plan are listed from urgent first:

- South Hill Terrace- Replace locks on entrance boxes, replace windows and storm doors, roofs at site B, entrance doors and frames. Kit cabinets are falling off the walls, need replaced immediately.
Moderate need: Replace ranges, frigs, gas lines, hot water tanks, some furnaces going bad.,replace closet bi fold doors, side walks and curbs, Site B needs gutters & downspouts.
- Snowden Terrace- shed doors, kit cabinet, bathroom and bath flooring, sidewalks, replace roofs, main water lines, butters and downspouts, resurface the road and parking areas.
- Marion Villa- Roofs extremely bad, need done immediately. Showers are hand held and ceramic is coming Down thru windows.Draing pipes are galvanized and need changed to plastic. Replace kitchen cabinets.
Roof replacement is being scheduled, at an estimated cost Of \$800,000.00

AMP 5 is presently showing the lowest vacancy rate this area has seen in a long time.

Last year we all worked diligently to get units filled quickly and are showing impressive numbers of improvement with our maintenance department. We are hoping to have a fantastic upcoming year, and will continue to do aggressive advertising, providing excellent customer service, fast work order turn over time, and try to keep the turnover time from vacant to move in reduced, which is now effecting our funding.

AMP 5 tenants do seem to be of extremely low income. With our sites combined between Brownsville, and Belle Vernon, approximately 75% are extremely low income, about 20% are very low income, and 5% are low income tenants. Since it is in the best interest of each site to get the higher income tenants, we use income targeting at Marion Villa where we presently have an adequate waiting list. We are able to choose the higher income applicants, therefore we can generate more rent from these tenants, making Marion Villa our best money generating site for our AMP. We did some work at all our sites to increase curb appeal to attract better tenants. Having an attractive looking site, along with reduced crime seems to be what our tenants are looking for in long term housing.

Dede Cole
Housing Administrator
AMP 5

Planned Demolition / Disposition & Development

1. Biererwood Acres : The Authority is planning demolition of 86 units and the disposition of 26 units. This is part of a development project that the Authority is planning to undertake to develop a family and elderly site. The Authority is also planning to do a land swap with the Uniontown Hospital for property that the Authority needs for the development of a 52 unit elderly mid- rise building.
2. White Swan apt's : The White Swan is a 78 unit elderly high rise building consisting of 59 efficiencies and 19 1 bedroom units. The Authority is planning to redevelop this building to 54 one bedroom apartments using Capital funds, Low Income Housing Tax Credits and Historical Tax Credits.
3. Administration Office : The Authority is planning to construct a new administration office in downtown Uniontown.

Demolition/Disposition Activity Description	
1a. Development name: Bierer Wood Acres	
1b. Development (project) number: PA 15-1	
2. Activity type: Demolition <input checked="" type="checkbox"/> Disposition <input checked="" type="checkbox"/>	
3. Application status (select one) Approved <input type="checkbox"/> Submitted, pending approval <input type="checkbox"/> Planned application <input checked="" type="checkbox"/>	
4. Date application approved, submitted, or planned for submission: <u>10/15/2011</u>	
5. Number of units affected: 86	
6. Coverage of action (select one) <input type="checkbox"/> Part of the development <input checked="" type="checkbox"/> Total development	
7. Timeline for activity: a. Actual or projected start date of activity: 2/15/12 b. Projected end date of activity: 8/11/12	

Beefwood Acres Planned Demolition & Disposition		
Unit #	BR size	
80 Macarthur Terr.	4	
82 Macarthur Terr.	1	
84 Macarthur Terr.	4	
86 Macarthur Terr	4	
88 Macarthur Terr	1	
90 Macarthur Terr	4	
1 Furlong Ct	2	
3 Furlong Ct	2	
5 Furlong Ct	3	
7 Furlong Ct	3	
9 Furlong Ct	3	
11 Furlong Ct	3	
13 Furlong Ct	2	
15 Furlong Ct	2	
75 Snyder Terr	4	
77 Snyder Terr	1	
79 Snyder Terr	4	
81 Snyder Terr	4	
83 Snyder Terr	1	
85 Snyder Terr	4	
7 Snyder Terr	2	
9 Snyder Terr	2	
11 Snyder Terr	3	
13 Snyder Terr	3	
16 Snyder Terr	3	
17 Snyder Terr	3	
19 Snyder Terr	2	
21 Snyder Terr	2	
23 Snyder Terr	1	
25 Snyder Terr	2	
27 Snyder Terr	3	
29 Snyder Terr	3	
31 Snyder Terr	2	
33 Snyder Terr	1	
2 Pershing Terr	4	
4 Pershing Terr	1	
6 Pershing Terr	4	
8 Pershing Terr	4	
10 Pershing Terr	1	
12 Pershing Terr	4	

Unit #	BR size
63 Snyder Terr	
65 Snyder Terr	
67 Snyder Terr	
69 Snyder Terr	
71 Snyder Terr	
73 Snyder Terr	

1. Statement of Housing Needs

[24 CFR Part 903.79 (a)]

A. Housing Needs of Families in the Jurisdiction/s Served by the PHA

Based upon the information contained in the Consolidated Plan/s applicable to the jurisdiction, and/or other data available to the PHA, provide a statement of the housing needs in the jurisdiction by completing the following table. In the "Overall" Needs column, provide the estimated number of renter families that have housing needs. For the remaining characteristics, rate the impact of that factor on the housing needs for each family type, from 1 to 5, with 1 being "no impact" and 5 being "severe impact." Use N/A to indicate that no information is available upon which the PHA can make this assessment.

Housing Needs of Families in the Jurisdiction by Family Type							
Family Type	Overall	Afford- ability	Supply	Quality	Access- ibility	Size	Loca- tion
Income ≤ 30% of AMI	7167	5	3	5	5	5	5
Income >30% but ≤50% of AMI	6778	2	2	2	2	5	2
Income >50% but <80% of AMI	7336	1	1	1	1	1	1
Elderly	3532	3	2	3	5	2	5
Families with Disabilities	556	3	2	3	5	2	5
Race/Ethnicity W	129,418	NA	NA	NA	NA	NA	NA
Race/Ethnicity B	6270						
Race/Ethnicity I	161						
Race/Ethnicity A	397						

What sources of information did the PHA use to conduct this analysis? (Check all that apply; all materials must be made available for public inspection.)

- ☐ Consolidated Plan of the Jurisdiction/s
Indicate year:
- ☒ U.S. Census data: the Comprehensive Housing Affordability Strategy
("CHAS") dataset
- ☐ American Housing Survey data
Indicate year:
- ☐ Other housing market study
Indicate year:
- ☒ Other sources: (list and indicate year of information)

In house data

B. Housing Needs of Families on the Public Housing and Section 8 Tenant- Based Assistance Waiting Lists

State the housing needs of the families on the PHA's waiting list/s. **Complete one table for each type of PHA-wide waiting list administered by the PHA.** PHAs may provide separate tables for site-based or sub-jurisdictional public housing waiting lists at their option.

Housing Needs of Families on the Waiting List			
Waiting list type: (select one)			
<input type="checkbox"/>	Section 8 tenant-based assistance		
<input checked="" type="checkbox"/>	Public Housing		
<input type="checkbox"/>	Combined Section 8 and Public Housing		
<input type="checkbox"/>	Public Housing Site-Based or sub-jurisdictional waiting list (optional)		
If used, identify which development/subjurisdiction:			
	# of families	% of total families	Annual Turnover
Waiting list total	264		165
Extremely low income <=30% AMI	232	87.87	
Very low income (>30% but <=50% AMI)	29	10.98	
Low income (>50% but <80% AMI)	3	1.13	
Families with children	243	92.04	
Elderly families	21	7.95	
Families with Disabilities	4		
Race/ethnicity Black	45	17.04	
Race/ethnicity Indian Not specified	1	0.37	
Race/ethnicity Hispanic	1	0.37	
Race/ethnicity Non Hispanic	262	99.24	

Housing Needs of Families on the Waiting List			
Characteristics by Bedroom Size (Public Housing Only)			
1BR	151	57.20	
2 BR	88	33.33	
3 BR	20	7.58	
4 BR	5	1.89	
5 BR	0	0	
5+ BR	0	0	
<p>Is the waiting list closed (select one)? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes</p> <p>If yes:</p> <p>How long has it been closed (# of months)?</p> <p>Does the PHA expect to reopen the list in the PHA Plan year? <input type="checkbox"/> No <input type="checkbox"/> Yes</p> <p>Does the PHA permit specific categories of families onto the waiting list, even if generally closed? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes</p>			

Housing Needs of Families on the Waiting List			
<p>Waiting list type: (select one)</p> <p><input checked="" type="checkbox"/> Section 8 tenant-based assistance</p> <p><input type="checkbox"/> Public Housing</p> <p><input type="checkbox"/> Combined Section 8 and Public Housing</p> <p><input type="checkbox"/> Public Housing Site-Based or sub-jurisdictional waiting list (optional)</p> <p>If used, identify which development/subjurisdiction:</p>			
	# of families	% of total families	Annual Turnover
Waiting list total	703		91
Extremely low income <=30% AMI	579	82.36	
Very low income (>30% but <=50% AMI)	112	15.93	
Low income (>50% but <80% AMI)	12	1.70	
Families with children	472	67.14	
Elderly families	73	10.38	
Families with Disabilities	158	22.47	

Housing Needs of Families on the Waiting List			
Race/ethnicity Black	139	19.77	
Race/ethnicity Indian Mixed	1	0.14	
Race/ethnicity Hispanic	3	0.42	
Race/ethnicity Non Hispanic	699	99.43	
Characteristics by Bedroom Size (Public Housing Only)			
1BR			
2 BR			
3 BR			
4 BR			
5 BR			
5+ BR			
<p>Is the waiting list closed (select one)? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes</p> <p>If yes:</p> <p>How long has it been closed (# of months)?</p> <p>Does the PHA expect to reopen the list in the PHA Plan year? <input type="checkbox"/> No <input type="checkbox"/> Yes</p> <p>Does the PHA permit specific categories of families onto the waiting list, even if generally closed? <input type="checkbox"/> No <input type="checkbox"/> Yes</p>			

C. Strategy for Addressing Needs

Provide a brief description of the PHA's strategy for addressing the housing needs of families in the jurisdiction and on the waiting list **IN THE UPCOMING YEAR**, and the Agency's reasons for choosing this strategy.

(1) Strategies

Need: Shortage of affordable housing for all eligible populations

Strategy 1. Maximize the number of affordable units available to the PHA within its current resources by:

Select all that apply

- ☒ Employ effective maintenance and management policies to minimize the number of public housing units off-line
- ☒ Reduce turnover time for vacated public housing units

- ☒ Reduce time to renovate public housing units
- ☐ Seek replacement of public housing units lost to the inventory through mixed finance development
- ☒ Seek replacement of public housing units lost to the inventory through section 8 replacement housing resources
- ☒ Maintain or increase section 8 lease-up rates by establishing payment standards that will enable families to rent throughout the jurisdiction
- ☒ Undertake measures to ensure access to affordable housing among families assisted by the PHA, regardless of unit size required
- ☒ Maintain or increase section 8 lease-up rates by marketing the program to owners, particularly those outside of areas of minority and poverty concentration
- ☒ Maintain or increase section 8 lease-up rates by effectively screening Section 8 applicants to increase owner acceptance of program
- ☐ Participate in the Consolidated Plan development process to ensure coordination with broader community strategies
- ☐ Other (list below)

Strategy 2: Increase the number of affordable housing units by:

Select all that apply

- ☐ Apply for additional section 8 units should they become available
- ☒ Leverage affordable housing resources in the community through the creation of mixed - finance housing
- ☒ Pursue housing resources other than public housing or Section 8 tenant-based assistance.
- ☒ Other: (list below)

The Fayette County Housing Authority has been awarded 184 Section 8 Relocation/Replacement Vouchers, and does not intend to apply for any additional Vouchers at this time.

Need: Specific Family Types: Families at or below 30% of median

Strategy 1: Target available assistance to families at or below 30 % of AMI

Select all that apply

- ☒ Exceed HUD federal targeting requirements for families at or below 30% of AMI in public housing
 - ☒ Exceed HUD federal targeting requirements for families at or below 30% of AMI in tenant-based section 8 assistance
 - ☒ Employ admissions preferences aimed at families with economic hardships
 - ☒ Adopt rent policies to support and encourage work
 - ☒ Other: (list below)
- Adopted flat rents at all locations to encourage employment and to retain Families that gain employment.

Need: Specific Family Types: Families at or below 50% of median

Strategy 1: Target available assistance to families at or below 50% of AMI

Select all that apply

- ☐ Employ admissions preferences aimed at families who are working
- ☒ Adopt rent policies to support and encourage work
- ☐ Other: (list below)

Need: Specific Family Types: The Elderly

Strategy 1: Target available assistance to the elderly:

Select all that apply

- ☐ Seek designation of public housing for the elderly
- ☐ Apply for special-purpose vouchers targeted to the elderly, should they become available
- ☒ Other: (list below) FCHA received extension of elderly designation in 2008.

Need: Specific Family Types: Families with Disabilities

Strategy 1: Target available assistance to Families with Disabilities:

Select all that apply

- ☒ Carry out the modifications needed in public housing based on the section 504 Needs Assessment for Public Housing
- ☒ Apply for special-purpose vouchers targeted to families with disabilities, should they become available
- ☒ Affirmatively market to local non-profit agencies that assist families with disabilities
- ☒ Other: (list below)

Adopted Reasonable Accommodation Policy for Public Housing and Section 8.

Need: Specific Family Types: Races or ethnicities with disproportionate housing needs

Strategy 1: Increase awareness of PHA resources among families of races and ethnicities with disproportionate needs:

Select if applicable

- ☒ Affirmatively market to races/ethnicities shown to have disproportionate housing needs
- ☐ Other: (list below)

Strategy 2: Conduct activities to affirmatively further fair housing

Select all that apply

- ☒ Counsel section 8 tenants as to location of units outside of areas of poverty or minority concentration and assist them to locate those units
- ☒ Market the section 8 program to owners outside of areas of poverty /minority concentrations
- ☐ Other: (list below)

Other Housing Needs & Strategies: (list needs and strategies below)

(2) Reasons for Selecting Strategies

Of the factors listed below, select all that influenced the PHA's selection of the strategies it will pursue:

- ☒ Funding constraints
- ☒ Staffing constraints
- ☒ Extent to which particular housing needs are met by other organizations in the community
- ☒ Influence of the housing market on PHA programs
- ☒ Results of consultation with residents and the Resident Advisory Board

3. PHA Policies Governing Eligibility, Selection, and Admissions

[24 CFR Part 903.7 9 (c)]

A. Public Housing

Exemptions: PHAs that do not administer public housing are not required to complete subcomponent 3A.

(1) Eligibility

a. When does the PHA verify eligibility for admission to public housing? (select all that apply)

- ☐ When families are within a certain number of being offered a unit: (state number)
- ☒ When families are within a certain time of being offered a unit: (state time)
- ☒ Other: (describe)

At time of application and for a second time when they reach the top of the waiting list.

b. Which non-income (screening) factors does the PHA use to establish eligibility for admission to public housing (select all that apply)?

- ☒ Criminal or Drug-related activity
- ☒ Rental history
- ☒ Housekeeping
- ☐ Other (describe)

c. ☒ Yes ☐ No: Does the PHA request criminal records from local law enforcement agencies for screening purposes?

d. ☒ Yes ☐ No: Does the PHA request criminal records from State law enforcement agencies for screening purposes?

e. ☒ Yes ☐ No: Does the PHA access FBI criminal records from the FBI for screening purposes? (either directly or through an NCIC-authorized source)

(2)Waiting List Organization

a. Which methods does the PHA plan to use to organize its public housing waiting list (select all that apply)

- ☐ Community-wide list
- ☐ Sub-jurisdictional lists
- ☒ Site-based waiting lists
- ☐ Other (describe)

b. Where may interested persons apply for admission to public housing?

- ☒ PHA main administrative office
- ☒ PHA development site management office
- ☐ Other (list below)

c. If the PHA plans to operate one or more site-based waiting lists in the coming year, answer each of the following questions; if not, skip to subsection **(3) Assignment**

1. How many site-based waiting lists will the PHA operate in the coming year? **19**

2. ☒ Yes ☐ No: Are any or all of the PHA's site-based waiting lists new for the upcoming year (that is, they are not part of a previously-HUD-approved site based waiting list plan)?
If yes, how many lists? **(19)**

3. ☒ Yes ☐ No: May families be on more than one list simultaneously
If yes, how many lists? **Three (3)**

4. Where can interested persons obtain more information about and sign up to be on the site-based waiting lists (select all that apply)?

- ☒ PHA main administrative office
- ☒ All PHA development management offices
- ☐ Management offices at developments with site-based waiting lists
- ☐ At the development to which they would like to apply
- ☐ Other (list below)

(3) Assignment

a. How many vacant unit choices are applicants ordinarily given before they fall to the bottom of or are removed from the waiting list? (select one)

- ☐ One
- ☐ Two
- ☒ Three or More

b. ☒ Yes ☐ No: Is this policy consistent across all waiting list types?

c. If answer to b is no, list variations for any other than the primary public housing waiting list/s for the PHA:

(4) Admissions Preferences

a. Income targeting:

- ☒ Yes ☐ No: Does the PHA plan to exceed the federal targeting requirements by targeting more than 40% of all new admissions to public housing to families at or below 30% of median area income?

In all above according to our ACOP, since transfers have preference over new admissions.

b. Transfer policies:

In what circumstances will transfers take precedence over new admissions? (list below)

- ☐ Emergencies
- ☐ Overhoused
- ☐ Underhoused
- ☐ Medical justification
- ☐ Administrative reasons determined by the PHA (e.g., to permit modernization work)
- ☐ Resident choice: (state circumstances below)
- ☒ Other: (list below)

In all above according to our ACOP, since transfers have preference over new admissions.

c. Preferences

1. ☒ Yes ☐ No: Has the PHA established preferences for admission to public housing (other than date and time of application)? (If "no" is selected, skip to subsection **(5) Occupancy**)
2. Which of the following admission preferences does the PHA plan to employ in the coming year? (select all that apply from either former Federal preferences or other preferences)

Former Federal preferences:

- ☒ Involuntary Displacement (Disaster, Government Action, Action of Housing Owner, Inaccessibility, Property Disposition)
- ☐ Victims of domestic violence
- ☐ Substandard housing
- ☐ Homelessness
- ☐ High rent burden (rent is > 50 percent of income)

Other preferences: (select below)

- ☐ Working families and those unable to work because of age or disability
- ☐ Veterans and veterans' families
- ☐ Residents who live and/or work in the jurisdiction
- ☐ Those enrolled currently in educational, training, or upward mobility programs
- ☐ Households that contribute to meeting income goals (broad range of incomes)
- ☐ Households that contribute to meeting income requirements (targeting)
- ☐ Those previously enrolled in educational, training, or upward mobility programs
- ☐ Victims of reprisals or hate crimes
- ☒ Other preference(s) (list below)
1. Income Tiers

2. A residency preference is granted to applicants who live or work in the Fayette County geographical area.
3. Victims of Federally Declared Disasters.
4. Victims of Domestic Violence.
5. Displaced by public action.

3. If the PHA will employ admissions preferences, please prioritize by placing a "1" in the space that represents your first priority, a "2" in the box representing your second priority, and so on. If you give equal weight to one or more of these choices (either through an absolute hierarchy or through a point system), place the same number next to each. That means you can use "1" more than once, "2" more than once, etc.

Former Federal preferences:

- 1 Involuntary Displacement (Disaster, Government Action, Action of Housing Owner, Inaccessibility, Property Disposition)
- 1 Victims of domestic violence
 - Substandard housing
 - Homelessness
 - High rent burden

Other preferences (select all that apply)

- ☐ Working families and those unable to work because of age or disability
- ☐ Veterans and veterans' families
- ☐ Residents who live and/or work in the jurisdiction
- ☐ Those enrolled currently in educational, training, or upward mobility programs
- ☐ Households that contribute to meeting income goals (broad range of incomes)
- ☐ Households that contribute to meeting income requirements (targeting)
- ☐ Those previously enrolled in educational, training, or upward mobility programs
- ☐ Victims of reprisals or hate crimes
- ☒ Other preference(s) (list below)
 - 1. Victims of Federally Declared Disasters
 - 2. A residency preference is granted to applicants who live in Fayette County geographical area.

4. Relationship of preferences to income targeting requirements:

- ☒ The PHA applies preferences within income tiers
- ☐ Not applicable: the pool of applicant families ensures that the PHA will meet income targeting requirements

(5) Occupancy

a. What reference materials can applicants and residents use to obtain information about the rules of occupancy of public housing (select all that apply)

- ☒ The PHA-resident lease
- ☒ The PHA's Admissions and (Continued) Occupancy policy
- ☒ PHA briefing seminars or written materials
- ☒ Other source (list) (PHA Staff)

b. How often must residents notify the PHA of changes in family composition?
(select all that apply)

- ☒ At an annual reexamination and lease renewal
- ☒ Any time family composition changes
- ☒ At family request for revision
- ☐ Other (list)

(6) Deconcentration and Income Mixing

a. ☒ Yes ☐ No: Did the PHA's analysis of its family (general occupancy) developments to determine concentrations of poverty indicate the need for measures to promote deconcentration of poverty or income mixing?

b. ☒ Yes ☐ No: Did the PHA adopt any changes to its **admissions policies** based on the results of the required analysis of the need to promote deconcentration of poverty or to assure income mixing?

c. If the answer to b was yes, what changes were adopted? (select all that apply)

☒ Adoption of site-based waiting lists
If selected, list targeted developments below:

☐ Employing waiting list "skipping" to achieve deconcentration of poverty or income mixing goals at targeted developments
If selected, list targeted developments below:

☐ Employing new admission preferences at targeted developments
If selected, list targeted developments below:

☒ Other (list policies and developments targeted below)
Income Tiers

d. ☒ Yes ☐ No: Did the PHA adopt any changes to **other** policies based on the results of the required analysis of the need for deconcentration of poverty and income mixing?

e. If the answer to d was yes, how would you describe these changes? (select all that apply)

- ☒ Additional affirmative marketing
- ☒ Actions to improve the marketability of certain developments
- ☐ Adoption or adjustment of ceiling rents for certain developments
- ☐ Adoption of rent incentives to encourage deconcentration of poverty and income-mixing
- ☒ Other (list below) (**Development and Demolition**)

f. Based on the results of the required analysis, in which developments will the PHA make special efforts to attract or retain higher-income families? (select all that apply)

- ☒ Not applicable: results of analysis did not indicate a need for such efforts
☐ List (any applicable) developments below:

g. Based on the results of the required analysis, in which developments will the PHA make special efforts to assure access for lower-income families? (select all that apply)

- ☒ Not applicable: results of analysis did not indicate a need for such efforts
☐ List (any applicable) developments below:

B. Section 8

Exemptions: PHAs that do not administer section 8 are not required to complete sub-component 3B. Unless otherwise specified, all questions in this section apply only to the tenant-based section 8 assistance program (vouchers, and until completely merged into the voucher program, certificates).

(1) Eligibility

a. What is the extent of screening conducted by the PHA? (select all that apply)

- ☒ Criminal or drug-related activity only to the extent required by law or regulation
☐ Criminal and drug-related activity, more extensively than required by law or regulation
☐ More general screening than criminal and drug-related activity (list factors below)
☐ Other (list below)

b. ☒ Yes ☐ No: Does the PHA request criminal records from local law enforcement agencies for screening purposes?

c. ☒ Yes ☐ No: Does the PHA request criminal records from State law enforcement agencies for screening purposes?

d. ☒ Yes ☐ No: Does the PHA access FBI criminal records from the FBI for screening purposes? (either directly or through an NCIC-authorized source)

e. Indicate what kinds of information you share with prospective landlords? (select all that apply)

- ☐ Criminal or drug-related activity
☒ Other (describe below) Previous Landlord and address.

(2) Waiting List Organization

a. With which of the following program waiting lists is the section 8 tenant-based assistance waiting list merged? (select all that apply)

- ☐ None
- ☐ Federal public housing
- ☐ Federal moderate rehabilitation
- ☐ Federal project-based certificate program
- ☐ Other federal or local program (list below)

b. Where may interested persons apply for admission to section 8 tenant-based assistance? (select all that apply)

- ☒ PHA main administrative office
- ☐ Other (list below)

(3) Search Time

a. ☒ Yes ☐ No: Does the PHA give extensions on standard 60-day period to search for a unit?

If yes, state circumstances below: After review of justification, if the family documents their efforts and additional time can reasonably be expected to result in success, the Housing Authority will grant two (2) thirty-day extensions, giving a total of 120 days.

If the family includes a person with disabilities and the family requires an extension due to the disability, the Housing Authority will grant an extension allowing the family the full 120 days search time or longer if required as a documented reasonable accommodation with HUD approval.

(4) Admissions Preferences

a. Income targeting

☒ Yes ☐ No: Does the PHA plan to exceed the federal targeting requirements by targeting more than 75% of all new admissions to the section 8 program to families at or below 30% of median area income?

b. Preferences

1. ☒ Yes ☐ No: Has the PHA established preferences for admission to section 8 tenant-based assistance? (other than date and time of application) (if no, skip to subcomponent **(5) Special purpose section 8 assistance programs**)

2. Which of the following admission preferences does the PHA plan to employ in the coming year? (select all that apply from either former Federal preferences or other preferences) Former Federal preferences

Former Federal preferences

- ☒ Involuntary Displacement (Disaster, Government Action, Action of Housing Owner, Inaccessibility, Property Disposition)
- ☐ Victims of domestic violence
- ☐ Substandard housing
- ☐ Homelessness
- ☐ High rent burden (rent is > 50 percent of income)

Other preferences (select all that apply)

- ☐ Working families and those unable to work because of age or disability
- ☐ Veterans and veterans' families
- ☐ Residents who live and/or work in your jurisdiction
- ☐ Those enrolled currently in educational, training, or upward mobility programs
- ☐ Households that contribute to meeting income goals (broad range of incomes)
- ☐ Households that contribute to meeting income requirements (targeting)
- ☐ Those previously enrolled in educational, training, or upward mobility programs
- ☐ Victims of reprisals or hate crimes
- ☒ Other preference(s) (list below)

1. A residency preference is granted to applicants who live in the Fayette County geographical area.

- 3. Victims of Federally Declared Disasters
- 4. Victims of Domestic Violence.
- 5. Displace by Public Action

3. If the PHA will employ admissions preferences, please prioritize by placing a "1" in the space that represents your first priority, a "2" in the box representing your second priority, and so on. If you give equal weight to one or more of these choices (either through an absolute hierarchy or through a point system), place the same number next to each. That means you can use "1" more than once, "2" more than once, etc.

Date and Time

Former Federal preferences

- Involuntary Displacement (Disaster, Government Action, Action of Housing Owner, Inaccessibility, Property Disposition)
- Victims of domestic violence
- Substandard housing

Homelessness
High rent burden

Other preferences (select all that apply)

- ☐ Working families and those unable to work because of age or disability
- ☐ Veterans and veterans' families
- ☐ Residents who live and/or work in your jurisdiction
- ☐ Those enrolled currently in educational, training, or upward mobility programs
- ☐ Households that contribute to meeting income goals (broad range of incomes)
- ☐ Households that contribute to meeting income requirements (targeting)
- ☐ Those previously enrolled in educational, training, or upward mobility programs
- ☐ Victims of reprisals or hate crimes
- ☒ Other preference(s) (list below)
 1. Victims of Federally Declared Disasters.
 2. A residency preference is granted to applicants who live in the Fayette County geographical area.

4. Among applicants on the waiting list with equal preference status, how are applicants selected? (select one)

- ☒ Date and time of application
- ☐ Drawing (lottery) or other random choice technique

5. If the PHA plans to employ preferences for "residents who live and/or work in the jurisdiction" (select one)

- ☒ This preference has previously been reviewed and approved by HUD
- ☐ The PHA requests approval for this preference through this PHA Plan

6. Relationship of preferences to income targeting requirements: (select one)

- ☒ The PHA applies preferences within income tiers
- ☐ Not applicable: the pool of applicant families ensures that the PHA will meet income targeting requirements

(5) Special Purpose Section 8 Assistance Programs

a. In which documents or other reference materials are the policies governing eligibility, selection, and admissions to any special-purpose section 8 program administered by the PHA contained? (select all that apply)

- ☒ The Section 8 Administrative Plan
- ☒ Briefing sessions and written materials
- ☐ Other (list below)

b. How does the PHA announce the availability of any special-purpose section 8 programs to the public?

- ☒ Through published notices
☐ Other (list below)

4. PHA Rent Determination Policies

[24 CFR Part 903.7 9 (d)]

A. Public Housing

Exemptions: PHAs that do not administer public housing are not required to complete sub-component 4A.

(1) Income Based Rent Policies

Describe the PHA's income based rent setting policy/ies for public housing using, including discretionary (that is, not required by statute or regulation) income disregards and exclusions, in the appropriate spaces below.

a. Use of discretionary policies: (select one)

- ☒ The PHA will not employ any discretionary rent-setting policies for income based rent in public housing. Income-based rents are set at the higher of 30% of adjusted monthly income, 10% of unadjusted monthly income, the welfare rent, or minimum rent (less HUD mandatory deductions and exclusions). (If selected, skip to sub-component (2))

---OR---

- ☐ The PHA employs discretionary policies for determining income based rent (If selected, continue to question b.)

b. Minimum Rent

1. What amount best reflects the PHA's minimum rent? (select one)

- ☐ \$0
☐ \$1-\$25
☒ \$26-\$50

2. ☒ Yes ☐ No: Has the PHA adopted any discretionary minimum rent hardship exemption policies?

Attachment PA015A008

Criteria for Substantial Deviations and Significant Amendments

Changes other than those specified will be undertaken by the PHA staff and reported in the Annual Plan

- Any change with regard to demolition or disposition, designation of housing, homeownership programs or conversion activities.
- Additions of non-emergency work items (items not included in the current Annual statement of Five Year Action Plan).
- Changes or rent or admissions policies or organization of the waiting list.

FAYETTE COUNTY HOUSING AUTHORITY
APPLYING FOR ADMISSION, TENANT SELECTION AND ASSIGNMENT PLAN

(Includes Preferences and Managing the Waiting List)

[24 CFR 960.203, 960.204, 960.205, 960.206]

INTRODUCTION

The Policy of the Fayette County Housing Authority is to ensure that all families who express an interest in housing assistance are given an equal opportunity to apply, and are treated in a fair and consistent manner. This Chapter describes the policies and procedures for completing an initial application for assistance, placement and denial of placement on the waiting list(s), and limitations on who may apply. The primary purpose of the intake function is to gather information about the family, but the PHA will also utilize this process to provide information to the family so that an accurate and timely decision of eligibility can be made. Applicants will be placed on the waiting list(s) in accordance with this Policy.

It is also the Fayette County Housing Authority's Policy that each applicant shall be assigned an appropriate place on the Site-Based Waiting List(s) for the Developments in which the applicant wishes to reside.

A. HOW TO APPLY

Families who wish to apply for any of the PHA's Programs must complete a written application form when application-taking is open.

Applications will be made available in an accessible format upon request from a person with a disability. Persons with disabilities may call the PHA to receive an application through the mail or make other arrangements to complete their application.

Applications will be mailed to interested families upon request. However, it will be necessary for the family to come into the Tenant Selection Department to have the application reviewed and finalized for processing.

Applications will be accepted at the Admissions Office of the Fayette County Housing Authority (Tenant Selection Department), 624 Pittsburgh Road, Uniontown, Pennsylvania 15401. In addition, applications will also be accepted at any of the individual Housing Developments located throughout Fayette County. Translation will be provided for non-English speaking applicants.

Since the PHA has Site-Based Waiting Lists, the applicants may choose which Site-Based Waiting List they wish to be placed on. Applicants may apply directly at or otherwise designate the Development(s) in which they wish to reside. Applicants are given the choice of up to three (3) sites at initial application intake.

B. COMPLETION OF A FULL APPLICATION

The application will contain questions designed to obtain the following information:

Names of head and spouse
Names of adult members and age of all members
Number of family members (used to estimate bedroom size needed)
Street address and phone numbers
Mailing address (if PO Box or other permanent address)
Source(s) of income received by household members
Information regarding request for reasonable accommodation or for accessible unit
Social Security Numbers
Race/ethnicity
Arrests/Convictions for Drug Related or Violent Criminal Activity
Previous address(es)
Names and addresses of current and previous landlords
Additional contact person and phone number
Questions regarding previous participation in HUD programs

Applications will be taken in person and data will be entered into the computer.

All adult members, 18 years of age and older, the head of household and spouse, regardless of age, must sign Form HUD-9886, "Release of Information", the declarations and consents related to citizenship/immigration status and any other documents required by the PHA. Applicants will be required to sign specific verification forms for information that is not covered by the HUD-9886. Failure to do so will be cause for denial of the application for failure to provide necessary certifications and releases as required by the PHA.

Information provided by the applicant must be verified, including information related to family composition, income, allowances, and deductions, assets, eligible immigration status, full-time student status and other factors related to preferences, eligibility and rent calculation.

If the PHA determines that additional information or documents are needed, the PHA will request the documents or information in writing. The family will be given 10 working days to supply the information.

Applicants are requested to inform the PHA in writing of changes in family composition, income, and address. Applicants are also required to respond to requests from the PHA to update information on their application, or to determine their continued interest in assistance.

Failure to provide information or to respond to mailings will result in the applicant being notified of denial for assistance and removed from the Waiting List(s). **(See Chapter on Complaints, Grievances and Appeals.)**

C. FINAL DETERMINATION AND NOTIFICATION OF APPLICANT STATUS

After the verification process is completed, the Fayette County Housing Authority will make a final determination of eligibility. This decision is based upon information provided by the family, the verification completed by the PHA, and the tenant suitability determination (See **Chapter on Eligibility for Admission**).

Because HUD can make changes in rules or regulations and family circumstances may have changed during the review process that affect an applicant's eligibility, it is necessary to make a final eligibility determination.

The household is not actually offered a unit until the final determination has been made, even though they may have been preliminarily determined eligible and placed on the Waiting List(s).

Any time during the determination process, applicants must report any changes in family status, including income, family composition, and address, in writing, within ten (10) business days of the change. If the family does not report the change within the required time frame, the family's application will be withdrawn.

If the family is determined to be eligible based on the information provided in the application, the PHA will notify the family in writing (in an accessible format upon request as a reasonable accommodation).

If the family is determined to be ineligible based on the information provided in the application, the PHA will notify the family in writing (in an accessible format upon request as a reasonable accommodation), state the reason(s), and inform them of their right to an Informal Hearing.

Persons with disabilities may request to have an advocate attend the Informal Hearing as an accommodation. See **Chapter on "Complaints, Grievances and Appeals."**

SEE FAYETTE COUNTY HOUSING AUTHORITY APPLICATION FOR HOUSING ATTACHED AND MADE A PART OF THIS CHAPTER.

Applicants will be listed in sequence based upon:

- Date and time the application is received,

In filling an actual or expected vacancy, the PHA will offer the dwelling unit to an applicant in the appropriate sequence, with the goal of accomplishing deconcentration of poverty and income-mixing objectives. The PHA will offer the unit until it is accepted. This Chapter describes the PHA's policies with regard to the number of unit offers that will be made to applicants selected from the Waiting List(s).

PHA's Objectives

The Policies of the Fayette County Housing Authority will be followed consistently and will affirmatively further HUD's fair housing goals.

It is the PHA's objective to ensure that families are placed in the proper order on the Waiting List(s) so that the offer of a unit is not delayed to any family unnecessarily or made to any family prematurely. This Chapter explains the policies for the management of the Waiting List(s).

By maintaining accurate Waiting List(s), the PHA will be able to perform the activities which ensure that an adequate pool of qualified applicants will be available to fill unit vacancies in a timely manner.

D. MANAGEMENT OF THE WAITING LIST(S)

The PHA will administer its Waiting List(s) as required by **24 CFR Part 5, Part 945 and Part 960, Subparts A and B**. The Waiting List(s) will be maintained in accordance with the following guidelines:

- The application will be the permanent file.

All applicants in the pool will be maintained in the order of date and time of application.

All applicants must meet applicable income eligibility requirements as established by HUD.

Opening and Closing the Waiting List(s)

The Fayette County Housing Authority, at its discretion, may restrict application intake and close Waiting List(s) in whole or in part.

The decision to close the Waiting List(s) will be based on the number of applications available for a particular size and type of unit, and the ability of the PHA to house an applicant in an appropriate unit within a reasonable period of time.

When the PHA opens the Waiting List(s), the PHA will advertise through public notice in a newspaper of local circulation.

To reach persons with disabilities, the PHA will provide separate notice to local organizations representing the interests and needs of the disabled.

The notice will contain:

The dates, times, and the locations where families may apply.

Any system of Site-Based Waiting List offered by the PHA.

The Programs for which applications will be taken.

A brief description of the Program.

A statement that Section 8 Participants must submit a separate application if they want to apply for Public Housing.

The notices will be made in an accessible format if requested. They will provide potential applicants with information that includes the PHA address and telephone number, how to submit an application, information on eligibility requirements.

Upon request from a person with a disability, additional time will be given as an accommodation for submission of an application after the closing deadline. This accommodation is to allow persons with disabilities the opportunity to submit an application in cases when a social service organization provides inaccurate or untimely information about the closing date.

The Waiting List(s) may not be closed if it would have a discriminatory effect inconsistent with applicable civil rights laws.

During the period when the Waiting List(s) are closed, the PHA will not maintain a list of individuals who wish to be notified when the Waiting List(s) are open.

The open period shall be long enough to achieve Waiting List(s) adequate to cover projected turnover over the next 12 months. The PHA will give at least 30 days' notice prior to closing the Waiting List(s). When the period for accepting applications is over, the PHA will add the new applicants to the list by:

Unit size, site(s), and date and time of application receipt.

The PHA will update the Waiting List(s) at least annually by removing the names of those families who are no longer interested, no longer qualify for housing, or cannot be reached by mail or telephone. At the time of initial intake, the PHA will advise families of their responsibility to notify the PHA when mailing address or telephone numbers change.

Reopening the List(s)

If the Waiting List(s) are closed and the PHA decides to open the Waiting List(s), the PHA will publicly announce the opening.

Any reopening of the Waiting List(s) is done in accordance with the HUD requirements.

Limits on Who May Apply

When the Waiting List(s) are open:

Any family asking to be placed on the Waiting List(s) for Public Housing Rental Assistance will be given the opportunity to complete an application.

When the application is submitted to the PHA:

It establishes the family's date and time of application for placement order on the Waiting List(s).

Multiple Families in Same Household

When families apply that consist of two families living together, (such as a mother and father, and a daughter with her own husband or children), if they apply as a family unit, they would be told to apply as two (2) separate families, unless the parents require care from their child, they would be treated as a family unit, and this request would be treated as a reasonable accommodation.

E. SITE BASED WAITING LISTS

The Fayette County Housing Authority offers a system of Site-Based Waiting Lists.

Applicants will be given an opportunity to list up to three developments with Site-Based Waiting Lists where they would accept a unit offer or to opt for the "first available" unit offer. Applicants may apply directly at or otherwise designate the development or developments in which they wish to reside.

When there are insufficient applicants on a Site-Based Waiting List, the PHA will contact applicants on other Site-Based Waiting Lists who may qualify for the type of housing with insufficient applicants. "Insufficient applicants" on a List will be defined as not enough families to fill vacancies for at least six (6) months, based on anticipated turnover at the development. A refusal of a unit on a Site-Based Waiting List other than that selected by the applicant will not constitute that applicant being moved to the bottom of the Waiting List(s) for which they applied.

Every reasonable action will be taken by the PHA to assure that applicants can make informed choices regarding the Development(s) in which they wish to reside. The PHA will disclose information to applicants regarding the location of available sites, occupancy number and size of accessible units. The PHA will also include basic information relative to amenities such as day care, security, transportation, training programs, and an estimate of the period of time the applicant will likely have to wait to be admitted to units of different types.

Monitoring Site-Based Waiting Lists

The System of Site-Based Waiting Lists will be carefully monitored to assure that civil rights and fair housing are affirmatively furthered.

The PHA's adoption of Site-Based Waiting Lists is not in violation of any court order or settlement agreement, and is not inconsistent with any pending complaint brought by HUD.

The PHA will at least every three years use independent testers or other means satisfactory to

HUD to assure that the Site-Based Waiting List(s) are not being implemented in a discriminatory manner, and that no patterns or practices of discrimination exist. The PHA will take immediate steps to remedy any problems.

The PHA will provide results of any such test or review to HUD.

The PHA will assess changes in racial, ethnic or disability-related tenant composition at each PHA site that has occurred during the implementation of the Site-Based Waiting List(s).

The PHA has established Site-Based Waiting Lists for the following properties:

- **PA-15-1, Bierer Wood Acres, Uniontown, PA**
- **PA-15-2, Crossland Place, Uniontown, PA**
- **PA-15-3, Gibson Terrace, Connellsville, PA**
- **PA-15-5, South Hill Terrace, Brownsville, PA**
- **PA-15-6, Fort Mason Village, Masontown, PA**
- **PA-15-8, Marion Villa, Belle Vernon, PA**
- **PA-15-9, Snowden Terrace, Brownsville, PA**
- **PA-15-10, East View Terrace, Uniontown, PA**
- **PA-15-11, Mulligan Manor, Brownsville, PA**
- **PA-15-12, White Swan Apartments, Uniontown, PA**
- **PA-15-13, Marshall Manor, Uniontown, PA**
- **PA-15-15, Clarence Hess Terrace, Masontown, PA**
- **PA-15-16, Belle Vernon Apartments, Belle Vernon, PA**
- **PA-15-17, Sembower Terrace, Uniontown, PA**
- **PA-15-19, Sheldon Avenue and Christy Lane, Fairchance, PA**
- **PA-15-22, Uniontown Scattered Sites, Uniontown, PA**
- **PA-15-24, Lemont Heights, Lemont Furnace, PA**
- **PA-15-26, Outcrop I, Smithfield, PA**

- PA-15-31, Outcrop II, Smithfield, PA

F. WAITING LIST PREFERENCES

A preference does not guarantee admission to the program. Preferences are used to establish the order of placement on the waiting list. Every applicant must meet the PHA's Selection Criteria as defined in this policy.

The PHA's preference system will work in combination with requirements to match the characteristics for the family to the type of unit available, including units with targeted populations, and further deconcentration of poverty in public housing. When such matching is required or permitted by current law, the PHA will give preference to qualified families.

Families who reach the top of the Waiting List(s) will be contacted by the PHA to verify their preference.

Among applicants with equal preference status, the Waiting List(s) will be organized by date and time of application.

Local Preferences

Local Preferences will be used to select among applicants on the Waiting List(s). If the Local Preferences are changed, a Public Notice with opportunity for public comment will be sent before the PHA adopts any local preference.

The PHA uses the following Local Preferences:

- Date and time of receipt of a completed application.
- Families with Incomes Needed to Achieve Deconcentration of Poverty and Income-Mixing.
- Residency Preference for families who live, work, or have been hired to work, or who are attending school or a training program in Fayette County.

In the Local Preference based on ranges of incomes, the applicants will be grouped as follows:

- **Tier I:** Families with incomes between 0% and 30% of area median income (**This Group MUST constitute at least 40% of all admissions in any year**).
- **Tier II:** Families with incomes between 31% and 80% of area median income (**The target for this group is 60% of all admissions in any year**).

Ranking Preference

There are two (2) possible Ranking Preferences in effect: First, is the **Displacement Preference**,

and second, is the **Upward Mobility Preference**. The PHA defines **Displacement Preference** to include applicants who can document that they have been displaced by a natural disaster declared by the President of the United States, displaced, through no fault of their own, by governmental action, or displaced by domestic violence. These sub-categories are equal.

The PHA defines **Upward Mobility** to include applicants with adult members who can document that they are employed or involved in job training, including job training undertaken as a requirement of persons receiving Temporary Assistance to Needy Families (TANF). Persons who cannot work because of age or disability also qualify for this Ranking Preference. These sub-categories are equal.'

Designated Housing

The Preference System will be used to match the characteristics of the family to the type of unit available, including Developments with HUD-Approved Designation Populations. The ability to provide Preferences for some family types will depend on unit size available.

Projects Designated for the Elderly:

The following Developments have a HUD-Approved Designation Plan:

- **PA-15-5, South Hill Terrace, Brownsville, PA – Units 102 through 114, 116 through 118, 120, and 121**
- **PA-15-10, East View Terrace, Uniontown, PA – Units 68, 70, 72, 74, 76, 78, 80, 82, 84, 86, 88, and 90 Mifflin Avenue**
- **PA-15-11, Mulligan Manor, Brownsville, PA**
- **PA-15-12, White Swan Apartments, Uniontown, PA**
- **PA-15-13, Marshall Manor, Uniontown, PA**
- **PA-15-15, Clarence Hess Terrace, Masontown, PA – Units 109, 111, 113, 118, 120, 122, 124, 126, 128, 130, and 132 Main Street**
- **PA-15-16, Belle Vernon Apartments, Belle Vernon, PA**

Elderly Families will receive a priority for admission to the above Units and Buildings covered by the HUD-Approved Designation Plan. When there are insufficient elderly families, near-elderly families will receive a priority for these Units. Only elderly and near-elderly can live in the Designated Elderly Units and Buildings. No other type of family is eligible for admission to a designated Elderly Development.

Projects Designated for Disabled Families

Disabled families will receive a priority for admission to Units or Buildings covered by a HUD-Approved Designation Plan.

Treatment of Single Applicants

Single applicants will be treated as any other eligible family on the PHA waiting list.

General Occupancy Projects

The PHA has established the following Local Admissions Preferences for general occupancy of Family Developments:

- Families of Federally Declared Disasters.
- Victims of Violence Against Women Act (VAWA)
- Applicants for whom a law enforcement agency is seeking housing as an accommodation for its witness protection program.
- Date and time of receipt of a completed application.

The first three Local Admissions Preferences are of equal weight.

The PHA has established the following system to apply Local Preferences:

- The PHA will give a Preference to families that include persons with disabilities who can benefit from a unit's features. First Preference will be given to the existing tenant families seeking a Transfer and Second Preference will be given to applicant families.

G. ORDER OF SELECTION FOR MIXED POPULATION DEVELOPMENTS

A mixed population project is a public housing project, or portion of a project that was reserved for elderly families and disabled families at its inception (and has retained that character).

In accordance with the 1992 Housing Act, elderly families whose head spouse or sole member is at least 62 years of age, and disabled families whose head, co-head or spouse or sole member is a person with disabilities, will receive equal preference to such units.

No limit will be established on the number of elderly or disabled families that may occupy a mixed population property. All other PHA preferences will be applied.

The PHA has established the following local admissions preferences for Mixed Population developments. As per HUD Regulations, equal preference must be given to Elderly Families and Disabled Families.

H. VERIFICATION OF PREFERENCE QUALIFICATION

The PHA will verify all preference claims at the time they are made.

The PHA will reverify a preference claim, if the PHA feels the family's circumstances have changed, at time of selection from the Waiting List(s).

If the preference verification indicates that an applicant does not qualify for the preference, the applicant will be returned to the Waiting List(s) and ranked without the Local Preference and given an opportunity for a review.

If at the time the family applied, the preference claim was the only reason for placement of the family on the Waiting List(s) and the family cannot verify their eligibility for the preference as of the date of application, the family will be removed from the Waiting List(s).

Change in Circumstances

Changes in an applicant's circumstances while on the Waiting List(s) may affect the family's entitlement to a preference. Applicants are required to notify the PHA in writing when their circumstances change. When an applicant claims an additional preference, s/he will be placed on the Waiting List(s) in the proper order of their newly-claimed preference.

I. PREFERENCE DENIAL

If the PHA denies a preference, the applicant will be placed on the Waiting List(s) without benefit of the preference.

The PHA will notify the applicant in writing of the reasons why the preference was denied and offer the applicant an opportunity for an Informal Review. The applicant will have 10 working days to request the meeting in writing. If the preference denial is upheld as a result of the meeting, or the applicant does not request a meeting, the applicant will be placed on the Waiting List(s) without benefit of the preference. Applicants may exercise other rights if they believe they have been discriminated against.

Any applicant who falsifies documents or makes false statements in order to qualify for any preference will be removed from the Waiting List(s) with notification to the family.

J. FACTORS OTHER THAN PREFERENCES THAT AFFECT SELECTION OF APPLICANTS

Before applying its preference system, the PHA will first match the characteristics of the available unit to the applicants available on the waiting lists. Factors such as unit size, accessible features, deconcentration or income mixing, income targeting, or units in housing designated for the elderly limit the admission of families to those characteristics that match the characteristics and features of the vacant unit available.

By matching unit and family characteristics, it is possible that families who are lower on the waiting list may receive an offer of housing ahead of families with an earlier date and time of application.

K. INCOME TARGETING

The PHA will monitor its admissions to ensure that at least 40 percent of families admitted to Public Housing in each fiscal year shall have incomes that do not exceed 30% of area median income of the PHA's jurisdiction.

Hereafter families whose incomes do not exceed 30% of area median income will be referred to as "extremely low income families."

The PHA shall have the discretion, at least annually, to exercise the "fungibility" provision of the QHwRA by admitting less than 40 percent of "extremely low income families" to public housing in a fiscal year, to the extent that admissions of extremely low income families to the PHA's voucher program during a PHA fiscal year exceeds the 75 percent minimum targeting requirement for the PHA's Section 8 Voucher Program. This fungibility provision discretion by the PHA is also reflected in the PHA's Administrative Plan.

The fungibility credits will be used to drop the annual requirement below 40 percent of admissions to public housing for extremely low income families by the lowest of the following amounts:

The number of units equal to 10 percent of the number of newly available vouchers in the fiscal year; or

The number of public housing units that 1) are in public housing projects located in census tracts having a poverty rate of 30% or more, and 2) are made available for occupancy by and actually occupied in that year by, families other than extremely low-income families.

The Fungibility Floor: Regardless of the above two amounts, in a fiscal year, at least 30% of the PHA's admissions to public housing will be to extremely low-income families. The fungibility floor is the number of units that cause the PHA's overall requirement for housing extremely low-income families to drop to 30% of its newly available units.

Fungibility shall only be utilized if the PHA is anticipated to fall short of its 40% goal for new admissions to Public Housing.

Low Income Family Admissions

The PHA will admit only families whose incomes do not exceed 80% of the HUD approved area median income.

L. UNITS DESIGNATED FOR THE ELDERLY

In accordance with the 1992 Housing Act, elderly families with a head, spouse or sole member at least 62 years of age will receive a preference for admission to such units or buildings covered by a HUD-approved Allocation Plan, except for the units which are accessible, which may be offered to persons with disabilities.

The PHA's Project Designation Plan is outlined on Pages 4-6 and 4-7 of this Chapter.

Procedure to Be Used When There Are Insufficient Applicants on the List

Where the PHA anticipates that there are insufficient elderly or near-elderly families on the Waiting List(s) for these units, the PHA will notify local senior service centers and local media sources aimed at the elderly to recruit elderly families for the Waiting List(s) for these projects.

When there are no elderly applicants from other sites interested in the elderly-designated development, after conducting outreach, near-elderly applicants who are 50-61 years of age can be admitted to the elderly-designated development. If there are no near-elderly applicants on the list, the development housing management staff will contact near-elderly applicants on other development lists to determine interest and add to their list, if applicable.

M. UNITS DESIGNATED FOR THE DISABLED

In accordance with the **1992 Housing Act**, disabled families with a head, spouse or sole member who qualifies as a person with disabilities as defined in **24 CFR 945.105** will receive a preference for admission to units that are covered by a HUD-approved Allocation Plan.

The PHA has units designed for persons with mobility, sight and hearing impairments (referred to as accessibility units). These units were designed and constructed specifically to meet the needs of persons requiring the use of wheelchairs and persons requiring other modifications.

Preference for occupancy of these units will be given to families with disabled family members who require the modifications or facilities provided in the units.

N. DECONCENTRATION OF POVERTY AND INCOME-MIXING

The PHA's Admission Policy is designed to provide for deconcentration of poverty and income-mixing by bringing higher income tenants into lower income projects and lower income tenants into higher income projects.

Nothing in the deconcentration policy relieves the PHA of the obligation to meet the income targeting requirement.

Gross annual income is used for income limits at admission and for income-mixing purposes.

Deconcentration and Income-Mixing Goals

The PHA's deconcentration and income-mixing goal, in conjunction with the requirement to

target at least 40 percent of new admissions to public housing in each fiscal year to "extremely low-income families", will be to admit families above the PHA's Established Income Range (EIR) to developments below the EIR, and families below the PHA's EIR to developments above the EIR.

Deconcentration applies to transfer families as well as applicant families.

Deconcentration Applicability

The PHA has covered developments (general occupancy, family developments) subject to the deconcentration requirement. These covered developments are described in the PHA Plan.

Project Designation Methodology

Annually, the PHA will determine the average income of all families residing in general occupancy developments

The PHA will then determine the average income of all families residing in each general occupancy development.

The PHA will then determine whether each general occupancy development falls above, within or below the Established Income Range (EIR).

The EIR is 85 percent to 115 percent (inclusive of 85 percent and 115 percent) of the PHA-wide average income for general occupancy developments.

If a covered development is both below the 30 percent area-wide median and above the 115 percent income average for PHA-wide covered developments, it will be considered to be within the EIR.

The PHA will then determine whether or not developments outside the EIR are consistent with local goals and strategies in the PHA Plan. Any deconcentration policy as needed is described in the PHA Plan.

Deconcentration Policy

If, at annual review, there are found to be development(s) with average income above or below the EIR, and where the income profile for a general occupancy development above or below the EIR is not explained or justified in the PHA Plan, the PHA shall list these covered developments in the PHA Annual Plan.

The PHA shall adhere to the following policies for deconcentration of poverty and income mixing in applicable developments:

- If a unit becomes available at a development below the EIR, the first eligible family on the Waiting List(s) [or transfer list] with income above the EIR will

be offered the unit. If that family refuses the unit, the next eligible family on the Waiting List(s) [or transfer list] with income above the EIR will be offered the unit. The process will continue in this order. For the available unit at the development below the EIR, if there is no family on the waiting list [or transfer list] with income above the EIR, or no family with income above the EIR accepts the offer, then the unit will be offered to the first eligible family on the waiting list [or transfer list] in preference order regardless of income.

Deconcentration Compliance

If, at annual review, the average incomes at all general occupancy developments are within the Established Income Range, the PHA will be considered to be in compliance with the deconcentration requirement.

O. PROMOTION OF INTEGRATION

Beyond the basic requirement of nondiscrimination, PHA shall affirmatively further fair housing to reduce racial and national origin concentrations.

The PHA shall not require any specific income or racial quotas for any development or developments.

A PHA shall not assign persons to a particular section of a community or to a development or building based on race, color, religion, sex, disability, familial status or national origin for purposes of segregating populations

P. OFFER OF PLACEMENT ON THE SECTION 8 WAITING LIST

If the Section 8 Waiting List is open when the applicant applies for Public Housing, the PHA must offer the family the opportunity to complete an application and be placed on both the Public Housing and Section 8 Waiting Lists. If the Public Housing Waiting List(s) is open at the time an applicant applies for Section 8, the PHA must offer to place the family the opportunity to also apply for the Public Housing Program.

Q. REMOVAL FROM WAITING LIST AND PURGING

The Waiting List(s) will be purged at least annually by a mailing to all applicants to ensure that the Waiting List(s) are current and accurate. The mailing will ask for current information and confirmation of continued interest.

If an applicant fails to respond within 10 calendar days, he or she will be removed from the Waiting List(s). If a letter is returned by the Post Office without a forwarding address, the applicant will be removed without further notice, and the envelope and letter will be maintained in the file. If a letter is returned with a forwarding address, it will be re-mailed to the address indicated, with the additional 10 calendar days given for a response.

If an applicant is removed from the Waiting List(s) for failure to respond, they will not be entitled to reinstatement unless a person with a disability requests a reasonable accommodation for being unable to reply within the proscribed period.

Notices will be made available in accessible format upon the request of a person with a disability. An extension to reply to the purge notification will be considered as an accommodation if requested by a person with a disability.

R. OFFER OF ACCESSIBLE UNITS

The PHA has units designed for persons with mobility, sight and hearing impairments, referred to as accessible units.

No non-mobility impaired families will be offered these units until all eligible mobility-impaired applicants have been considered.

Before offering a vacant accessible unit to a non-disabled applicant, the PHA will offer such units:

First, to a current occupant of another unit of the same development, or other public housing developments under the PHA's control, who has a disability that requires the special features of the vacant unit.

Second, to an eligible qualified applicant on the Waiting List(s) having a disability that requires the special features of the vacant unit.

When offering an accessible/adaptable unit to a non-disabled applicant, the PHA will require the applicant to agree to move to an available non-accessible unit within 30 days when either a current resident or an applicant needs the features of the unit and there is another unit available for the applicant. This requirement will be a provision of the lease agreement.

The PHA will make modifications to the unit in keeping with the Section 504 Transition Plan as the need arises and until the PHA determines that an adequate number of units have been rehabilitated in numbers sufficient to evidence compliance with the Plan. After such point in time, the PHA may approve the family's plan to make physical modifications at the family's expense and consistent with the terms of the Authority's 504 Plan as it relates to tenant modifications.

See "Leasing" Chapter.

S. PLAN FOR UNIT OFFERS

The PHA plan for selection of applicants and assignment of dwelling units to assure equal opportunity and non-discrimination on grounds of race, color, sex, religion, or national origin is:

- **Plan "A"**. Under this Plan, the first qualified applicant in sequence on the Waiting List(s) will be made one offer of a unit of the appropriate size, at a site in which the applicant seeks to reside. If they reject the offer, they will be placed at the bottom of the Waiting List(s), and this procedure will be followed until three (3) Units have been offered, at which time, refusal will mean removal from all Waiting List(s).

If more than one unit of the appropriate type and size is available, the first unit to be offered will be the unit that is or will be ready for move-in first. "Ready for move-in" means the unit has no Housing Quality Standards Deficiencies, and is broom clean. If two units are ready for move-in on the same day, the first unit to be offered will be the unit that became vacant first.

The PHA will maintain a record of units offered, including location, date and circumstances of each offer, each acceptance or rejection, including the reason for the rejection.

T. APPLICANT STATUS AFTER FINAL UNIT OFFER

When an applicant rejects the final unit offer the PHA will:

- Remove the applicant from all Waiting List(s).

Removal from the Waiting List(s) means:

- The applicant must wait six (6) months before reapplying for the Public Housing Program.

U. TIME-LIMIT FOR ACCEPTANCE OF UNIT

Applicants must accept a unit offer within five (5) working days of the date the offer is communicated (by phone, mail, or the method of communication designated by an applicant with disabilities) or be removed from the Waiting List(s). All offers made over the telephone will be confirmed by letter. If unable to contact an applicant by telephone, the PHA will send a letter by First Class Mail.

Applicants Unable to Take Occupancy

If an applicant is willing to accept the unit offered, but is unable to take occupancy at the time of the offer for "good cause", the applicant will not be placed at the bottom of the Waiting List(s).

Examples of "good cause" reasons for the refusal to take occupancy of a housing unit include, but are not limited to:

An elderly or disabled family makes the decision not to occupy or accept occupancy in designated housing. [24 CFR 945.303(d)]

Inaccessibility to source of employment or children's day care such that an adult household member must quit a job, drop out of an educational institution or a job training program;

The family demonstrates to the PHA's satisfaction that accepting the offer will result in a situation where a family member's life, health or safety will be placed in jeopardy. The family must offer specific and compelling documentation such as restraining orders, other court orders, or risk assessments related to witness protection from a law enforcement agency. The reasons offered must be specific to the family. Refusals due to the location of the unit alone are not considered to be good cause.

A qualified, knowledgeable, health professional verifies the temporary hospitalization or recovery from illness of the principal household member, other household members, or a live-in aide necessary to care for the principal household member.

The unit is inappropriate for the applicant's disabilities.

Applicants With a Change in Family Size or Status

Changes in family composition, status, or income between the time of the interview and the offer of a unit will be processed. The PHA shall not lease a unit to a family whose occupancy will overcrowd the unit. However, a family may be overhoused if no unit of the correct size is available. The family will be overhoused with the understanding that when a unit of the appropriate size becomes available, they must transfer to this unit.

V. REFUSAL OF OFFER

If the unit offered is inappropriate for the applicant's disabilities, the family will retain their position on the Waiting List(s).

If the unit offered is refused for other reasons, the PHA will follow the applicable policy as listed in the "Plan for Unit Offers" Section and the "Applicant Status After Final Offer" Section.

FAYETTE COUNTY HOUSING AUTHORITY (SECTION 8 PROGRAM)
ESTABLISHING PREFERENCES AND MAINTAINING THE WAITING LIST

[24 CFR Part 5, Subpart D; 982.54(d)(1); 982.204, 982.205, 982.206]

INTRODUCTION

It is the Fayette County Housing Authority's objective to ensure that families are placed in the proper order on the Waiting List and selected from the Waiting List for admissions in accordance with the policies in this Administrative Plan.

This Chapter explains the Preferences which the PHA has adopted to meet local housing needs, defines the eligibility criteria for the preferences, and explains the PHA's system of applying them.

By maintaining an accurate Waiting List, the PHA will be able to perform the activities which ensure that an adequate pool of qualified applicants will be available so that program funds are used in a timely manner.

A. WAITING LIST [24 CFR 982.204]

The PHA uses a Single Waiting List for admission to its Section 8 Housing Program.

Applicants will be selected from the PHA Waiting List in accordance with policies and preferences and income targeting requirements defined in this Administrative Plan.

The PHA will maintain information that permits proper selection from the Waiting List.

The Waiting List contains the following information for each applicant listed:

Ranking Number on Waiting List

Application (Tracking) Number

Whether they are a Public Housing Resident and whether they owe money to the Housing Authority or another Federally-Funded Agency

Date and Time of Application

Applicant name and address

Classification (Standard or Out-of-County)

Annual (Gross) Family Income

Income Classification (Very Low, Extremely Low)

Age of Head of Household

Voucher Size for which Family qualifies

Elderly Status

Sex of Head of Household

Race of Head of Household

Ethnicity of Head of Household

B. SPECIAL ADMISSIONS [24 CFR 982.54(d)(e), 982.203]

HUD may award a PHA program funding that is targeted for families living in specified units. The PHA must use the assistance for the families living in these units.

If HUD awards a PHA program funding that is targeted for specifically named families, the PHA will admit these families under a **Special Admission Procedure**.

Special admissions families will be admitted outside of the regular waiting list process. They do not have to qualify for any preferences, nor are they required to be on the program waiting list. The PHA maintains separate records of these admissions.

The following are examples of types of program funding that may be designated by HUD for families living in a specified unit:

- 1. A family displaced because of demolition or disposition of a public or Indian housing project;**
- 2. A family residing in a multifamily rental housing project when HUD sells, forecloses or demolishes the project;**
- 3. For housing covered by the Low Income Housing Preservation and Resident Homeownership Act of 1990 (41 U.S.C. 4101 et seq.):**
 - a. A non-purchasing family residing in a project subject to a homeownership program (under 24CFR 248.173); or**
 - b. A family displaced because of mortgage prepayment or voluntary termination of a mortgage insurance contract (as provided in 24 CFR 248.165);**
- 4. A family residing in a project covered by a project-based Section 8 HAP contract at or near the end of the HAP contract term; an**
- 5. A non-purchasing family residing in a HOPE 1 or HOPE 2 Project.**

Applicants who are admitted under Special Admissions, rather than from the waiting list, are maintained on a separate list.

C. LOCAL PREFERENCES [24 CFR 982.207]

The PHA will offer public notice when changing its preference system and the notice will be publicized using the same guidelines as those for opening and closing the waiting list.

The PHA uses the following Local Preference System:

- Families of Federally Declared Disasters.
- Victims of the Violence Against Women Act (VAWA)
- Applicants for whom a law enforcement agency is seeking housing as an accommodation for its witness protection program.
- Date and time of receipt of a completed application.

Notwithstanding any Applicant's Application Number, the PHA will select applicants from the Waiting List in such a way as to ensure that at least 75% of the applicants admitted to the Housing Choice Voucher Program during any fiscal year are at or below the Extremely Low Income (ELI) Limit – 30% of the median income for the MSA – at the time of admission.

This will be accomplished through the use of Local Preferences based on Income Tiers:

- **At least 75% of the units leased through the Section 8 Housing Choice Voucher Program in any Fiscal Year shall be provided to families with incomes below 30% of the area median income; and**
- **Up to 25% of the units leased during the same period may be to families with incomes between 31% and 50% of area median income.**

Within the Income Tiers, the PHA will then select applicants for the Housing Choice Voucher Program based on the following Ranking Preferences:

- **Families requiring relocation from the Fayette County Housing Authority's Public Housing as a result of redevelopment and/or demolition.**
- **Families who live, work, or have been given notice that they will be working in Fayette County.**
- **Families displaced by government action or by a formally declared natural disaster.**

Within each Preference Category, applicants will be selected in order of the date and time of their Application, except that families who are already assisted, but are not requiring relocation from PHA Public Housing as a result of redevelopment and/or demolition, will be selected at the rate of one (1) assisted family for every ten (10) non-assisted families.

This Income Tier Targeting Requirement does not apply to a low-income family who is "continuously assisted" under the 1937 Act, or to a low-income or moderate income family who

is displaced as a result of the prepayment of the mortgage or voluntary termination of an insurance contract on project-based eligible low-income housing.

For Section 8 Project-Based Assistance, not less than 40% of the new admissions to a specific project must have incomes at or below 30% of the area median income. Other admissions to a specific project must be at or below 80% of the area median.

Families of Federally Declared Disasters or Victims of the Violence Against Women Act (VAWA) do not have to be on the Section 8 Waiting List, nor do they have to qualify for any income limits.

As required by Law, the Fayette County Housing Authority will withhold a Preference from an applicant if any member of the applicant family is a person evicted from housing assisted under the 1937 Housing Act during the past three (3) years because of drug-related or criminal activity that threatens the health, safety, or peaceful enjoyment of other residents or Housing Authority Staff. The PHA may grant an Admissions Preference in any of the following cases:

- If the PHA determines that the evicted person has successfully completed a rehabilitation program approved by the PHA;
- If the PHA determines that the evicted person clearly did not participate in or know about the drug-related criminal activity; or
- If the PHA determines that the evicted person no longer participates in any drug-related criminal activity that threatens the health, safety or right to peaceful enjoyment of other tenant or Staff of the PHA.

Treatment of Single Applicants

Single applicants will be treated as any other eligible family on the waiting list.

D. INCOME TARGETING

In accordance with the Quality Housing and Work Responsibility Act of 1998, each fiscal year the PHA will reserve a minimum of seventy-five percent of its Section 8 new admissions for families whose income does not exceed 30 percent of the area median income. HUD refers to these families as “extremely low-income families.” The PHA will admit families who qualify under the Extremely Low Income limit to meet the income targeting requirement, regardless of preference.

The PHA’s income targeting requirement does not apply to low income families continuously assisted as provided for under the 1937 Housing Act.

The PHA is also exempted from this requirement where the PHA is providing assistance to low income or moderate income families entitled to preservation assistance under the tenant-based program as a result of a mortgage prepayment or opt-out.

The PHA shall have the discretion, at least annually, to exercise the “fungibility” provision of the QHWRA. This provision allows the PHA to admit less than the minimum 40% of its extremely low-income families in a fiscal year to its public housing program to the extent that the PHA’s admission of extremely low income families in the tenant-based assistance program exceeds 75% of all admissions during the fiscal year. If exercising this option

the PHA will follow the fungibility threshold limitations as set forth in QHWRA Legislation.

The discretion by the PHA to exercise the fungibility provision is also reflected in the PHA’s Public Housing Admissions and Continued Occupancy Policy.

**E. INITIAL DETERMINATION OF LOCAL PREFERENCE QUALIFICATION
[24 CFR 982.207]**

At the time of application, an applicant's entitlement to a local preference may be made on the following basis.

The PHA will verify all preference claims at the time they are made. The PHA will reverify a preference claim, if the PHA feels the family's circumstances have changed, at time of selection from the waiting list.

If the preference verification indicates that an applicant does not qualify for the preference, the applicant will be returned to the waiting list without the local preference and given an opportunity for a meeting.

If, at the time the family applied, the preference claim was the only reason for placement of the family on the list and the family cannot verify their eligibility for the preference as of the date of application, the family will be removed from the list.

F. EXCEPTIONS FOR SPECIAL ADMISSIONS [24 CFR 982.203, 982.54(d)(3)]

If HUD awards a PHA program funding that is targeted for specifically named families, the PHA will admit these families under a Special Admission procedure.

Special admissions families will be admitted outside of the regular waiting list process. They do not have to qualify for any preferences, nor are they required to be on the program waiting list. The PHA maintains separate records of these admissions.

The following are examples of types of program funding that may be designated by HUD for families living in a specified unit:

A family displaced because of demolition or disposition of a public or Indian housing project;

A family residing in a multifamily rental housing project when HUD sells, forecloses or demolishes the project;

For housing covered by the Low Income Housing Preservation and Resident Homeownership Act of 1990;

A family residing in a project covered by a project-based Section 8 HAP contract at or near the end of the HAP contract term; and

A non-purchasing family residing in a HOPE 1 or HOPE 2 project.

G. PREFERENCE AND INCOME TARGETING ELIGIBILITY [24 CFR 982.207]

Change in Circumstances

Changes in an applicant's circumstances while on the Waiting List may affect the family's entitlement to a preference. Applicants are required to notify the PHA in writing when their circumstances change.

When an applicant claims an additional preference, he or she will be placed on the Waiting List in the appropriate order determined by the newly-claimed preference.

The exception to this is, if at the time the family applied, the Waiting List was only open to families who claimed that preference. In such case, the applicant must verify that they were eligible for the first preference before they are returned to the Waiting List with the new preference.

If the family's verified annual income, at final eligibility determination, does not fall under the Extremely Low Income limit and the family was selected for income targeting purposes before family(ies) with a higher preference, the family will be returned to the Waiting List.

Cross-Listing of Different Housing Programs and Section 8 [24 CFR 982.205(a)]

The PHA will not merge its Waiting Lists. If the Waiting List(s) for the PHA's Public Housing Program and the Section 8 Housing Program are open at the time an applicant applies for Section 8, the PHA must offer to place the family on its Waiting List(s) for the other Program.

Other Housing Assistance [24 CFR 982.205(b)]

Other housing assistance means a Federal, State or Local Housing Subsidy, as determined by HUD, including Public Housing.

The PHA may not take any of the following actions because an applicant has applied for, received, or refused other housing: [24 CFR 982.205(b)]

Refuse to list the applicant on the PHA Waiting List(s);

Deny any admission preference for which the applicant is currently qualified;

Change the applicant's place on the Waiting List based on preference, date and time of application, or other factors affecting selection under the PHA selection policy; or

Remove the applicant from the Waiting List.

However, the PHA may remove the applicant from the PHA Waiting List(s) if the PHA has offered the applicant assistance under the Voucher Program.

H. ORDER OF SELECTION [24 CFR 982.207(e)]

The PHA's method for selecting applicants from a preference category leaves a clear audit trail that can be used to verify that each applicant has been selected in accordance with the method specified in the administrative plan.

Local Preferences

Local preferences will be used to select families from the Waiting List.

Among Applicants with Equal Preference Status

Among applicants with equal preference status, the Waiting List will be organized by date and time of application..

I. FINAL VERIFICATION OF PREFERENCES [24 CFR 982.207]

Preference information on applications will be verified at the time of placing the application.

J. PREFERENCE DENIAL [24 CFR 982.207]

If the applicant falsifies documents or makes false statements in order to qualify for any preference, they will be removed from the Waiting List.

L. REMOVAL FROM WAITING LIST AND PURGING [24 CFR 982.204(c)]

The Waiting List will be purged once every year by a mailing to all applicants whose application date is older than one (1) year, to ensure that the Waiting List is current and accurate. The mailing will ask for confirmation of continued interest.

Any mailings to the applicant which require a response will state that failure to respond within 10-14 days will result in the applicant's name being removed from the Waiting List.

An extension of 10 days to respond will be granted, if requested and needed as a reasonable accommodation for a person with a disability.

If the applicant did not respond to the PHA request for information or updates because of a family member's disability, the PHA will reinstate the applicant in the family's former position on the Waiting List. This will be reviewed and completed on a case-by-case basis.

If a letter is returned by the Post Office without a forwarding address, the applicant will be removed from the Waiting List without further notice, and the envelope and letter will be maintained in the file.

If a letter is returned with a forwarding address, it will be re-mailed to the address indicated, and it will be necessary for the applicant to come into the Administration Office and update their change of address.

			Financial Resources					
			Planned Sources and Uses					
Sources				Planned \$		Planned Uses		
1. Federal Grants 2011								
a) Public Housing Operating Fund				\$4,500,000.00			PH Operations	
b) Public Housing Capital Fund				\$2,000,000.00			Capital Improvements	
c) Replacement Housing Factor				\$597,183.00			Debt Service	
d) LIHTC				\$8,000,000.00			Development	
Historical Tax Credits				\$2,000,000.00			Development	
e) Dept. of Economic Development				\$500,000.00			Development	
f) Annual Contributions for Section 8				\$4,700,000.00			Rental Assistance	
Tenant-Based Assistance								
g) Resident Opportunity and Self-Sufficiency								
Grants								
Other Federal Grants (list below)								
FSS				\$50,000.00			Sec. 8	
2. Prior Year Federal Grants								
(unobligated funds only) (list below)								
2009 Capital Funds				\$834,138.00			PH Capital Improve.	
2010 Capital Funds				\$1,994,885.00			PH Capital Improve.	
3. Public Housing Dwelling Rental Income								
Dwelling Rent				\$2,000,000.00			PH Operations	
4. Other income (list below)								
Financial Income				\$450,000.00			PH Operations	
Miscellaneous Income				\$95,000.00			PH Operations	
4. Non-federal sources (list below)								
State Housing				\$100,000.00			Improvements	
Total resources				\$27,821,206.00				

FAYETTE COUNTY HOUSING AUTHORITY

INCOME AND RENT DETERMINATIONS

[24 CFR Part 5, Subparts E and F; 24 CFR 960, Subpart C]

INTRODUCTION

A family's income determines eligibility for assistance and is also used to calculate the family's rent payment. The PHA will use the policies and methods described in this chapter to ensure that only eligible families receive assistance and that no family pays more or less than its obligation under the regulations.

PART I: ANNUAL INCOME

A. OVERVIEW

The general regulatory definition of *annual income* shown below is from **24 CFR 5.609**.

5.609 Annual income.

(a) Annual income means all amounts, monetary or not, which:

- (1) Go to, or on behalf of, the family head or spouse (even if temporarily absent) or to any other family member; or**
- (2) Are anticipated to be received from a source outside the family during the 12-month period following admission or annual reexamination effective date; and**
- (3) Which are not specifically excluded in paragraph [5.609(c)].**
- (4) Annual income also means amounts derived (during the 12-month period) from assets to which any member of the family has access.**

In addition to this general definition, HUD regulations establish policies for treating specific types of income and assets. The full texts of those portions of the regulations are provided in exhibits at the end of this chapter as follows:

- Annual Income Inclusions (**Exhibit 6-1**)
- Annual Income Exclusions (**Exhibit 6-2**)
- Treatment of Family Assets (**Exhibit 6-3**)
- Earned Income Disallowance (**Exhibit 6-4**)
- The Effect of Welfare Benefit Reduction (**Exhibit 6-5**)

Sections B and C discuss general requirements and methods for calculating annual income. The rest of this section describes how each source of income is treated for the purposes of determining annual income. HUD regulations present income inclusions and exclusions separately [24 CFR 5.609(b) and 24 CFR 5.609(c)]. In this ACOP, however, the discussions of income inclusions and exclusions are integrated by topic (e.g., all policies affecting earned income are discussed together in section 6 D). Verification requirements for annual income are discussed in Chapter 7.

B. HOUSEHOLD COMPOSITION AND INCOME

Income received by all family members must be counted unless specifically excluded by the regulations. It is the responsibility of the head of household to report changes in family composition. The rules on which sources of income are counted vary somewhat by family member. The chart below summarizes how family composition affects income determinations.

Summary of Income Included and Excluded by Person	
Live-in aides	Income from all sources is excluded [24 CFR 5.609(c)(5)].
Foster child or foster adult	Income from all sources is excluded [24 CFR 5.609(a)(1)].
Head, spouse, or cohead Other adult family members	All sources of income not specifically excluded by the regulations are included.
Children under 18 years of age	Employment income is excluded [24 CFR 5.609(c)(1)]. All other sources of income, except those specifically excluded by the regulations, are included.
Full-time students 18 years of age or older (not head, spouse, or cohead)	Employment income above \$480/year is excluded [24 CFR 5.609(c)(11)]. All other sources of income, except those specifically excluded by the regulations, are included.

Temporarily Absent Family Members

The income of family members approved to live in the unit will be counted, even if the family member is temporarily absent from the unit.

Generally an individual who is or is expected to be absent from the assisted unit for 180 consecutive days or less is considered temporarily absent and continues to be considered a family member. Generally an individual who is or is expected to be absent from the assisted unit for more than 180 consecutive days is considered permanently absent and no longer a family member. Exceptions to this general policy are discussed below.

Absent Full-Time Students

When someone who has been considered a family member attends school away from home, the person will continue to be considered a family member unless information becomes available to the PHA indicating that the student has established a separate household or the family declares that the student has established a separate household.

Court-Ordered Absences or Absences Due to Incarceration

If a member of the family is subject to a court order or incarceration that restricts the member from the home, the PHA will determine whether the person will be considered temporarily or permanently absent. If the court order or incarceration specifies a permanent restriction or if the court restriction exceeds 180 days, the person will no longer be considered a family member. If

the individual intends to return to the unit at the end of the restriction or incarceration, the individual is subject to the eligibility and screening requirements discussed in the Chapter on Eligibility.

Absences Due to Placement in Foster Care

Children temporarily absent from the home as a result of placement in foster care are considered members of the family.

If a child has been placed in foster care, the PHA will verify with the appropriate agency whether and when the child is expected to be returned to the home. Unless the agency confirms that the child has been permanently removed from the home, the child will be counted as a family member.

Absent Head, Spouse, or Cohead

An employed head, spouse, or cohead absent from the unit more than 180 consecutive days due to employment will continue to be considered a family member.

Individuals Confined for Medical Reasons

An individual confined to a nursing home or hospital on a permanent basis is not considered a family member. However, if an individual is confined to a nursing home or hospital for less than 180 consecutive days, they will still be considered a family member. If the individual is the head of the household, the unit will have to be kept in compliance with the Rules and Regulations of the PHA, and the rent and utilities kept current for the unit during the confinement.

If there is a question about the status of a family member, the PHA will request verification from a responsible medical professional and will use this determination. If the responsible medical professional cannot provide a determination, the person generally will be considered temporarily absent. The family may present evidence that the family member is confined on a permanent basis and request that the person not be considered a family member.

When an individual who has been counted as a family member is determined permanently absent, the family is eligible for the medical expense deduction only if the remaining head, spouse, or cohead qualifies as an elderly person or person with disabilities.

Joint Custody of Children

Dependents that are subject to a joint custody arrangement will be considered a member of the family, if they live with the applicant or resident family fifty-one percent (51%) or more of the time.

When more than one applicant or assisted family (regardless of program) is claiming the same dependents as family members, the family with primary custody at the time of the initial examination or reexamination will be able to claim the dependents. If there is a dispute about which family should claim them, the PHA will make the determination based on available documents such as court orders, school records, verifications as to who receives income for the child, or an IRS return showing which family has claimed the child for income tax purposes.

If the event that only one applicant or family is assisted, the same determination will be made following the same procedure as stated above.

Caretakers for a Child

If neither a parent nor a designated guardian remains in a household receiving assistance, the PHA will take the following actions:

1. If a responsible agency has determined that another adult is to be brought into the unit to care for a child for an indefinite period, the designated caretaker will not be considered a family member until a determination of custody or legal guardianship is made.
2. If a caretaker has assumed responsibility for a child without the involvement of a responsible agency or formal assignment of custody or legal guardianship, the caretaker will be treated as a visitor for 90 days. After the 90 days has elapsed, the caretaker will be considered a family member unless information is provided that would confirm that the caretaker's role is temporary. In such cases the PHA will extend the caretaker's status as an eligible visitor.
3. At any time that custody or guardianship legally has been awarded to a caretaker, the lease will be transferred to the caretaker, as head of household.
4. During any period that a caretaker is considered a visitor, the income of the caretaker is not counted in annual income and the caretaker does not qualify the family for any deductions from income.
5. A credit and criminal check will be done on the caretaker.

C. ANTICIPATING ANNUAL INCOME

The PHA is required to count all income "anticipated to be received from a source outside the family during the 12-month period following admission or annual reexamination effective date" [24 CFR 5.609(a)(2)]. Policies related to anticipating annual income are provided below.

Basis of Annual Income Projection

The PHA generally will use current circumstances to determine anticipated income for the coming 12-month period. HUD authorizes the PHA to use other than current circumstances to anticipate income when:

- An imminent change in circumstances is expected
- It is not feasible to anticipate a level of income over a 12-month period (e.g., seasonal or cyclic income) [24 CFR 5.609(d)]
- The PHA believes that past income is the best available indicator of expected future income [24 CFR 5.609(d)]

When the PHA cannot readily anticipate income based upon current circumstances (e.g., in the case of seasonal employment, unstable working hours, or suspected fraud), the PHA will review and analyze historical data for patterns of employment, paid benefits, and receipt of other income and use the results of this analysis to establish annual income. Anytime current circumstances are not used to project annual income, a clear rationale for the decision will be documented in the file. In all such cases the family may present information and documentation to the PHA to show why the historic pattern does not represent the family's anticipated income.

Known Changes in Income

If the PHA verifies an upcoming increase or decrease in income, annual income will be calculated by applying each income amount to the appropriate part of the 12-month period.

Example: An employer reports that a full-time employee who has been receiving \$6.00/hour will begin to receive \$6.25/hour in the eighth week after the effective date of the reexamination. In such a case, the PHA would calculate annual income as follows:
 $(\$6.00/\text{hour} \times 40 \text{ hours} \times 7 \text{ weeks}) + (\$6.25 \times 40 \text{ hours} \times 45 \text{ weeks}).$

The family may present information that demonstrates that implementing a change before its effective date would create a hardship for the family. In such cases, the PHA will calculate annual income using current circumstances and then require an interim reexamination when the change actually occurs. This requirement will be imposed even if the PHA's Policy on Reexamination does not require interim reexaminations for other types of changes.

Using Enterprise Income Verification (EIV) to Project INcome

HUD strongly recommends the use of Enterprise Income verification (EIV). EIV is "the verification of income, before or during a family reexamination, through an independent source that systematically and uniformly maintains income information in computerized form for a large number of individuals" [PIH Notice 2004-01 Verification Guidance ("VG"), p. 7].

HUD allows PHAs to use EIV information in conjunction with family-provided documents to anticipate income.

PHA procedures for anticipating annual income will include the use of EIV methods approved by HUD in conjunction with family-provided documents dated within the last 120 days of the PHA interview date.

The PHA will follow "HUD Guidelines for Projecting Annual Income When Enterprise Income Verification (EIV) Data Is Available" in handling differences between EIV and family-provided income data. The guidelines depend on whether a difference is substantial or not. HUD defines *substantial difference* as a difference of \$200 or more per month.

No Substantial Difference

If EIV information for a particular income source differs from the information provided by a family by less than \$200 per month, the PHA will follow these guidelines:

If the EIV figure is less than the family's figure, the PHA will use the family's information.

If the EIV figure is more than the family's figure, the PHA will use the EIV data unless the family provides documentation of a change in circumstances to explain the discrepancy (e.g., a reduction in work hours). Upon receipt of acceptable family-provided documentation of a change in circumstances, the PHA will use the family-provided information.

Substantial Difference

If EIV information for a particular income source differs from the information provided by a family by \$200 or more per month, the PHA will follow these guidelines:

The PHA will request written third-party verification from the discrepant income source in accordance with **24 CFR 5.236(b)(3)(i)**.

When the PHA cannot readily anticipate income (e.g., in cases of seasonal employment, unstable working hours, or suspected fraud), the PHA will review historical income data for patterns of employment, paid benefits, and receipt of other income.

The PHA will analyze all EIV, third-party, and family-provided data and attempt to resolve the income discrepancy.

The PHA will use the most current verified income data and, if appropriate, historical income data to calculate anticipated annual income.

If a EIV verification is received indicating employment income and after verification with the employer and the family member, it is found that this family member has never worked for the employer, the family member will be instructed to contact the Social Security Administration and report possible fraud. The PHA will also follow up with a letter to the Social Security Administration.

D. EARNED INCOME

Types of Earned Income Included in Annual Income

Wages and Related Compensation [24 CFR 5.609(b)(1)]

The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services is included in annual income.

For persons who regularly receive bonuses or commissions, the PHA will verify and then average current amounts received. If current amounts are not available, the PHA will use the previous 12 months' amounts. In either case the family may provide, and the PHA will consider, a credible justification for not using this history to anticipate future bonuses or commissions. If a new employee has not yet received any bonuses or commissions, the PHA will count only the amount estimated by the employer. The file will be documented appropriately.

Some Types of Military Pay

All regular pay, special pay and allowances of a member of the Armed Forces are counted [24 CFR 5.609(b)(8)] except for the special pay to a family member serving in the Armed Forces who is exposed to hostile fire [24 CFR 5.609(c)(7)].

Types of Earned Income Not Counted in Annual Income

Temporary, Nonrecurring, or Sporadic Income [24 CFR 5.609(c)(9)]

This type of income (including gifts) is not included in annual income.

Sporadic income is income that is not received periodically and cannot be reliably predicted. For example, the income of an individual who works occasionally as a handyman would be considered sporadic if future work could not be anticipated and no historic, stable pattern of income existed.

Children's Earnings [24 CFR 5.609(c)(1)]

Employment income earned by children (including foster children) under the age of 18 years is not included in annual income. (See Eligibility chapter for a definition of *foster children*.)

Certain Earned Income of Full-Time Students

Earnings in excess of \$480 for each full-time student 18 years old or older (except for the head, spouse, or cohead) are not counted [24 CFR 5.609(c)(11)]. To be considered “full-time,” a student must be considered “full-time” by an educational institution with a degree or certificate program.

Income of a Live-in Aide

Income earned by a live-in aide, as defined in [24 CFR 5.403], is not included in annual income [24 CFR 5.609(c)(5)]. (See Eligibility chapter for a full discussion of live-in aides.)

Income Earned under Certain Federal Programs [24 CFR 5.609(c)(17)]

Income from some federal programs is specifically excluded from consideration as income, including:

- Payments to volunteers under the Domestic Volunteer Services Act of 1973 (42 U.S.C. 5044(g), 5058)
- Payments received under programs funded in whole or in part under the Job Training Partnership Act (29 U.S.C. 1552(b))
- Awards under the federal work-study program (20 U.S.C. 1087 uu)
- Payments received from programs funded under Title V of the Older Americans Act of 1985 (42 U.S.C. 3056(f))
- Allowances, earnings, and payments to AmeriCorps participants under the National and Community Service Act of 1990 (42 U.S.C. 12637(d))
- Allowances, earnings, and payments to participants in programs funded under the Workforce Investment Act of 1998 (29 U.S.C. 2931)

Resident Service Stipend [24 CFR 5.600(c)(8)(iv)]

Amounts received under a resident service stipend are not included in annual income. A resident service stipend is a modest amount (not to exceed \$200 per individual per month) received by a resident for performing a service for the PHA, on a part-time basis, that enhances the quality of life in the development. Such services may include, but are not limited to, fire patrol, hall monitoring, lawn maintenance, resident initiatives coordination, and serving as a member of the PHA’s governing board. No resident may receive more than one such stipend during the same period of time.

State and Local Employment Training Program

Incremental earnings and benefits to any family member resulting from participation in qualifying state or local employment training programs (including training programs not affiliated with a local government) and training of a family member as resident management staff are excluded from annual income. Amounts excluded by this provision must be received under employment training programs with clearly defined goals and objectives and are excluded only

for the period during which the family member participates in the training program [24 CFR 5.609(c)(8)(v)].

The PHA defines *training program* as “a learning process with goals and objectives, generally having a variety of components, and taking place in a series of sessions over a period of time. It is designed to lead to a higher level of proficiency, and it enhances the individual’s ability to obtain employment. It may have performance standards to measure proficiency. Training may include, but is not limited to: (1) classroom training in a specific occupational skill, (2) on-the-job training with wages subsidized by the program, or (3) basic education” [expired Notice PIH 98-2, p. 3].

The PHA defines *incremental earnings and benefits* as the difference between (1) the total amount of welfare assistance and earnings of a family member prior to enrollment in a training program and (2) the total amount of welfare assistance and earnings of the family member after enrollment in the program [expired Notice PIH 98-2, pp. 3–4].

In calculating the incremental difference, the PHA will use as the pre-enrollment income the total annualized amount of the family member’s welfare assistance and earnings reported on the family’s most recently completed HUD-50058.

End of participation in a training program must be reported in accordance with the PHA's interim reporting requirements (see chapter on reexaminations).

HUD-Funded Training Programs

Amounts received under training programs funded in whole or in part by HUD [24 CFR 5.609(c)(8)(i)] are excluded from annual income. Eligible sources of funding for the training include operating subsidy, Section 8 administrative fees, and modernization, Community Development Block Grant (CDBG), HOME program, and other grant funds received from HUD.

To qualify as a training program, the program must meet the definition of *training program* provided above for state and local employment training programs.

Earned Income Tax Credit. Earned income tax credit (EITC) refund payments received on or after January 1, 1991 (26 U.S.C. 32(j)), are excluded from annual income [24 CFR 5.609(c)(17)]. Although many families receive the EITC annually when they file taxes, an EITC can also be received throughout the year. The prorated share of the annual EITC is included in the employee’s payroll check.

Earned Income Disallowance. The earned income disallowance is discussed in section 6-I.E below.

E. EARNED INCOME DISALLOWANCE [24 CFR 5.617]

The earned income disallowance (EID) encourages people to enter the work force by not including the full value of increases in earned income for a period of time. The full text of 24 CFR 5.617 is included as Exhibit 6-4 at the end of this chapter. Eligibility criteria and limitations on the disallowance are summarized below.

Eligibility

This disallowance applies only to individuals in families already participating in the public housing program (not at initial examination). To qualify, the family must experience an increase in annual income that is the result of one of the following events:

- Employment of a family member who is a person who was previously unemployed for one or more years prior to employment. *Previously unemployed* includes a person who annually has earned not more than the minimum wage applicable to the community multiplied by 500 hours. The applicable minimum wage is the federal minimum wage unless there is a higher state or local minimum wage.
- Increased earnings by a family member who is a person whose earnings increase during participation in an economic self-sufficiency or job-training program. A self-sufficiency program includes a program designed to encourage, assist, train, or facilitate the economic independence of HUD-assisted families or to provide work to such families [24 CFR 5.603(b)].
- New employment or increased earnings by a family member who is a person who has received benefits or services under Temporary Assistance for Needy Families (TANF) or any other state program funded under Part A of Title IV of the Social Security Act within the past six months. If the benefits are received in the form of monthly maintenance, there is no minimum amount. If the benefits or services are received in a form other than monthly maintenance, such as one-time payments, wage subsidies, or transportation assistance, the total amount received over the six-month period must be at least \$500.

Calculation of the Disallowance

Calculation of the earned income disallowance for an eligible member of a qualified family begins with a comparison of the member's current income with his or her "prior income."

The PHA defines *prior income*, or *prequalifying income*, as the family member's last certified income prior to qualifying for the EID.

The family member's prior, or prequalifying, income remains constant throughout the period that he or she is receiving the EID.

Initial 12-Month Exclusion

During the initial 12-month exclusion period, the full amount (100 percent) of any increase in income attributable to new employment or increased earnings is excluded. The 12 months are cumulative and need not be consecutive.

The initial EID exclusion period will begin on the first of the month following the date an eligible member of a qualified family is first employed or first experiences an increase in earnings.

Second 12-Month Exclusion and Phase-In

During the second 12-month exclusion period, the exclusion is reduced to half (50 percent) of any increase in income attributable to employment or increased earnings. The 12 months are cumulative and need not be consecutive.

Lifetime Limitation

The EID has a four-year (48-month) lifetime maximum. The four-year eligibility period begins at the same time that the initial exclusion period begins and ends 48 months later. The one-time eligibility for the EID applies even if the eligible individual begins to receive assistance from another housing agency, if the individual moves between public housing and Section 8 assistance, or if there are breaks in assistance.

During the 48-month eligibility period, the PHA will conduct an interim reexamination each time there is a change in the family member's annual income that affects or is affected by the EID (e.g., when the family member's income falls to a level at or below his/her prequalifying income, when one of the exclusion periods ends, and at the end of the lifetime maximum eligibility period).

F. BUSINESS INCOME [24 CFR 5.609(b)(2)]

Annual income includes "the net income from the operation of a business or profession. Expenditures for business expansion or amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or assets from the operation of a business or profession will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested in the operation by the family" [24 CFR 5.609(b)(2)].

Business Expenses

Net income is "gross income less business expense" [HCV GB, p. 5-19].

To determine business expenses that may be deducted from gross income, the PHA will use current applicable Internal Revenue Service (IRS) rules for determining allowable business expenses [see IRS Publication 535], unless a topic is addressed by HUD regulations or guidance as described below.

Business Expansion

HUD regulations do not permit the PHA to deduct from gross income expenses for business expansion.

Business expansion is defined as any capital expenditures made to add new business activities, to expand current facilities, or to operate the business in additional locations. For example, purchase of a street sweeper by a construction business for the purpose of adding street cleaning to the services offered by the business would be considered a business expansion. Similarly, the purchase of a property by a hair care business to open at a second location would be considered a business expansion.

Capital Indebtedness

HUD regulations do not permit the PHA to deduct from gross income the amortization of capital indebtedness.

Capital indebtedness is defined as the principal portion of the payment on a capital asset such as land, buildings, and machinery. This means the PHA will allow as a business expense interest, but not principal, paid on capital indebtedness.

Negative Business Income

If the net income from a business is negative, no business income will be included in annual income; a negative amount will not be used to offset other family income.

Withdrawal of Cash or Assets from a Business

HUD regulations require the PHA to include in annual income the withdrawal of cash or assets from the operation of a business or profession unless the withdrawal reimburses a family member for cash or assets invested in the business by the family.

Acceptable investments in a business include cash loans and contributions of assets or equipment. For example, if a member of a tenant family provided an up-front loan of \$2,000 to help a business get started, the PHA will not count as income any withdrawals from the business up to the amount of this loan until the loan has been repaid. Investments do not include the value of labor contributed to the business without compensation.

Co-owned Businesses

If a business is co-owned with someone outside the family, the family must document the share of the business it owns. If the family's share of the income is lower than its share of ownership, the family must document the reasons for the difference.

G. ASSETS [24 CFR 5.609(b)(3) and 24 CFR 5.603(b)]

Overview

There is no asset limitation for participation in the public housing program. However, HUD requires that the PHA include in annual income the "interest, dividends, and other net income of any kind from real or personal property" [24 CFR 5.609(b)(3)]. This section discusses how the income from various types of assets is determined. For most types of assets, the PHA must determine the value of the asset in order to compute income from the asset. Therefore, for each asset type, this section discusses:

- How the value of the asset will be determined
- How income from the asset will be calculated

Exhibit 6-1 provides the regulatory requirements for calculating income from assets [24 CFR 5.609(b)(3)], and Exhibit 6-3 provides the regulatory definition of *net family assets*. This section begins with a discussion of general policies related to assets and then provides HUD rules and PHA policies related to each type of asset.

General Policies

Income from Assets

The PHA generally will use current circumstances to determine both the value of an asset and the anticipated income from the asset. As is true for all sources of income, HUD authorizes the PHA to use other than current circumstances to anticipate income when (1) an imminent change in circumstances is expected (2) it is not feasible to anticipate a level of income over 12 months or (3) the PHA believes that past income is the best indicator of anticipated income. For example, if a family member owns real property that typically receives rental income but the property is currently vacant, the PHA can take into consideration past rental income along with the prospects of obtaining a new tenant.

Any time current circumstances are not used to determine asset income, a clear rationale for the decision will be documented in the file. In such cases the family may present information and documentation to the PHA to show why the asset income determination does not represent the family's anticipated asset income.

Valuing Assets

The calculation of asset income sometimes requires the PHA to make a distinction between an asset's market value and its cash value.

- The market value of an asset is its worth (e.g., the amount a buyer would pay for real estate or the balance in an investment account).
- The cash value of an asset is its market value less all reasonable amounts that would be incurred when converting the asset to cash.

Reasonable costs that would be incurred when disposing of an asset include, but are not limited to, penalties for premature withdrawal, broker and legal fees, and settlement costs incurred in real estate transactions.

Lump-Sum Receipts

Payments that are received in a single lump sum, such as inheritances, capital gains, lottery winnings, insurance settlements, and proceeds from the sale of property, are generally considered assets, not income. However, such lump-sum receipts are counted as assets only if they are retained by a family in a form recognizable as an asset (e.g., deposited in a savings or checking account) [RHIIP FAQs]. (For a discussion of lump-sum payments that represent the delayed start of a periodic payment, most of which are counted as income, see sections 6 H and 6 I.)

Imputing Income from Assets [24 CFR 5.609(b)(3)]

When net family assets are \$5,000 or less, the PHA will include in annual income the actual income anticipated to be derived from the assets. When the family has net family assets in excess of \$5,000, the PHA will include in annual income the greater of (1) the actual income derived from the assets or (2) the imputed income. Imputed income from assets is calculated by multiplying the total cash value of all family assets by the current HUD-established passbook savings rate.

Determining Actual Anticipated Income from Assets

It may or may not be necessary for the PHA to use the value of an asset to compute the actual anticipated income from the asset. When the value is required to compute the anticipated income from an asset, the market value of the asset is used. For example, if the asset is a property for which a family receives rental income, the anticipated income is determined by annualizing the actual monthly rental amount received for the property; it is not based on the property's market value. However, if the asset is a savings account, the anticipated income is determined by multiplying the market value of the account by the interest rate on the account.

Withdrawal of Cash or Liquidation of Investments

Any withdrawal of cash or assets from an investment will be included in income except to the extent that the withdrawal reimburses amounts invested by the family. For example, when a family member retires, the amount received by the family from a retirement plan is not counted

as income until the family has received payments equal to the amount the family member deposited into the retirement fund.

Jointly Owned Assets

The regulation at **24 CFR 5.609(a)(4)** specifies that annual income includes “amounts derived (during the 12-month period) from assets to which any member of the family has access.”

If an asset is owned by more than one person and any family member has unrestricted access to the asset, the PHA will count the full value of the asset. A family member has unrestricted access to an asset when he or she can legally dispose of the asset without the consent of any of the other owners.

If an asset is owned by more than one person, including a family member, but the family member does not have unrestricted access to the asset, the PHA will prorate the asset according to the percentage of ownership. If no percentage is specified or provided for by state or local law, the PHA will prorate the asset evenly among all owners.

Assets Disposed Of for Less than Fair Market Value [24 CFR 5.603(b)]

HUD regulations require the PHA to count as a current asset any business or family asset that was disposed of for less than fair market value during the two years prior to the effective date of the examination/reexamination, except as noted below.

Minimum Threshold

The PHA may set a threshold below which assets disposed of for less than fair market value will not be counted [HCV GB, p. 5-27].

The PHA will not include the value of assets disposed of for less than fair market value unless the cumulative fair market value of all assets disposed of during the past two years exceeds the gross amount received for the assets by more than \$1,000.

When the two-year period expires, the income assigned to the disposed asset(s) also expires. If the two-year period ends between annual recertifications, the family may request an interim recertification to eliminate consideration of the asset(s).

Assets placed by the family in nonrevocable trusts are considered assets disposed of for less than fair market value except when the assets placed in trust were received through settlements or judgments.

Separation or Divorce

The regulation also specifies that assets are not considered disposed of for less than fair market value if they are disposed of as part of a separation or divorce settlement and the applicant or tenant receives important consideration not measurable in dollar terms.

All assets disposed of as part of a separation or divorce settlement will be considered assets for which important consideration not measurable in monetary terms has been received. In order to qualify for this exemption, a family member must be subject to a formal separation or divorce settlement agreement established through arbitration, mediation, or court order.

Foreclosure or Bankruptcy

Assets are not considered disposed of for less than fair market value when the disposition is the result of a foreclosure or bankruptcy sale.

Family Declaration

Families must sign a declaration form at initial certification and each annual recertification identifying all assets that have been disposed of for less than fair market value or declaring that no assets have been disposed of for less than fair market value. The PHA may verify the value of the assets disposed of if other information available to the PHA does not appear to agree with the information reported by the family.

Types of Assets

Checking and Savings Accounts

For regular checking accounts and savings accounts, *cash value* has the same meaning as *market value*. If a checking account does not bear interest, the anticipated income from the account is zero.

In determining the value of a checking account, the PHA will use the average monthly balance for the last six months. If the six-month average monthly balance is not available from the financial institution, the current balance will be used.

In determining the value of a savings account, the PHA will use the current balance.

In determining the anticipated income from an interest-bearing checking or savings account, the PHA will multiply the value of the account by the current rate of interest paid on the account.

Investment Accounts Such as Stocks, Bonds, Saving Certificates, and Money Market Funds

Interest or dividends earned by investment accounts are counted as actual income from assets even when the earnings are reinvested. The cash value of such an asset is determined by deducting from the market value any broker fees, penalties for early withdrawal, or other costs of converting the asset to cash.

In determining the market value of an investment account, the PHA will use the value of the account on the most recent investment report.

How anticipated income from an investment account will be calculated depends on whether the rate of return is known. For assets that are held in an investment account with a known rate of return (e.g., savings certificates), asset income will be calculated based on that known rate (market value multiplied by rate of earnings). When the anticipated rate of return is not known (e.g., stocks), the PHA will calculate asset income based on the earnings for the most recent reporting period.

Equity in Real Property or Other Capital Investments

Equity (cash value) in a property or other capital asset is the estimated current market value of the asset less the unpaid balance on all loans secured by the asset and reasonable costs (such as broker fees) that would be incurred in selling the asset.

Equity in real property and other capital investments is considered in the calculation of asset income except for the following types of assets:

- Equity accounts in HUD homeownership programs [24 CFR 5.603(b)]

- The value of a home currently being purchased with assistance under the HCV Program Homeownership Option for the first 10 years after the purchase date of the home [24 CFR 5.603(b)]
- Equity in owner-occupied cooperatives and manufactured homes in which the family lies
- Equity in real property when a family member's main occupation is real estate [HCV GB, p. 5-25]. This real estate is considered a business asset, and income related to this asset will be calculated as described in **Section 6 F**.
- Interests in Indian Trust lands [24 CFR 5.603(b)]
- Real property and capital assets that are part of an active business or farming operation

A family may have real property as an asset in two ways: (1) owning the property itself and (2) holding a mortgage or deed of trust on the property. In the case of a property owned by a family member, the anticipated asset income generally will be in the form of rent or other payment for the use of the property. If the property generates no income, actual anticipated income from the asset will be zero.

In the case of a mortgage or deed of trust held by a family member, the outstanding balance (unpaid principal) is the cash value of the asset. The interest portion only of payments made to the family in accordance with the terms of the mortgage or deed of trust is counted as anticipated asset income.

In the case of capital investments owned jointly with others not living in a family's unit, a prorated share of the property's cash value will be counted as an asset unless the PHA determines that the family receives no income from the property and is unable to sell or otherwise convert the asset to cash.

Trusts

A *trust* is a legal arrangement generally regulated by state law in which one party (the creator or grantor) transfers property to a second party (the trustee) who holds the property for the benefit of one or more third parties (the beneficiaries).

Revocable Trusts

If any member of a family has the right to withdraw the funds in a trust, the value of the trust is considered an asset. Any income earned as a result of investment of trust funds is counted as actual asset income, whether the income is paid to the family or deposited in the trust.

Nonrevocable Trusts

In cases where a trust is not revocable by, or under the control of, any member of a family, the value of the trust fund is not considered an asset. However, any income distributed to the family from such a trust is counted as a periodic payment or a lump-sum receipt, as appropriate [24 CFR 5.603(b)]. (Periodic payments are covered in **Section 6 H**. Lump-sum receipts are discussed earlier in this section.)

Retirement Accounts

Company Retirement/Pension Accounts

In order to correctly include or exclude as an asset any amount held in a company retirement or pension account by an employed person, the PHA must know whether the money is accessible before retirement.

While a family member is employed, only the amount the family member can withdraw without retiring or terminating employment is counted as an asset.

After a family member retires or terminates employment, any amount distributed to the family member is counted as a periodic payment or a lump-sum receipt, as appropriate, except to the extent that it represents funds invested in the account by the family member. (For more on periodic payments, see **Section 6 H.**) The balance in the account is counted as an asset only if it remains accessible to the family member.

IRA, Keogh, and Similar Retirement Savings Accounts

IRA, Keogh, and similar retirement savings accounts are counted as assets even though early withdrawal would result in a penalty.

Personal Property

Personal property held as an investment, such as gems, jewelry, coin collections, antique cars, etc., is considered an asset.

In determining the value of personal property held as an investment, the PHA will use the family's estimate of the value. The PHA may obtain an appraisal if there is reason to believe that the family's estimated value is off by \$50 or more. The family must cooperate with the appraiser but cannot be charged any costs related to the appraisal.

Generally, personal property held as an investment generates no income until it is disposed of. If regular income is generated (e.g., income from renting the personal property), the amount that is expected to be earned in the coming year is counted as actual income from the asset.

Necessary items of personal property are not considered assets [24 CFR 5.603(b)].

Necessary personal property consists of only those items not held as an investment. It may include clothing, furniture, household furnishings, jewelry, and vehicles, including those specially equipped for persons with disabilities.

Life Insurance

The cash value of a life insurance policy available to a family member before death, such as a whole life or universal life policy, is included in the calculation of the value of the family's assets. The cash value is the surrender value. If such a policy earns dividends or interest that the family could elect to receive, the anticipated amount of dividends or interest is counted as income from the asset whether or not the family actually receives it.

H. PERIODIC PAYMENTS

Periodic payments are forms of income received on a regular basis. HUD regulations specify periodic payments that are and are not included in annual income.

Periodic Payments Included in Annual Income

- Periodic payments from sources such as social security, unemployment and welfare assistance, annuities, insurance policies, retirement funds, and pensions. However, periodic

payments from retirement accounts, annuities, and similar forms of investments are counted only after they exceed the amount contributed by the family [24 CFR 5.609(b)(4) and (b)(3)].

- Disability or death benefits and lottery receipts paid periodically, rather than in a single lump sum [24 CFR 5.609(b)(4)]

Lump-Sum Payments for the Delayed Start of a Periodic Payment

Most lump sums received as a result of delays in processing periodic payments, such as unemployment or welfare assistance, are counted as income. However, lump-sum receipts for the delayed start of periodic social security or supplemental security income (SSI) payments are not counted as income [CFR 5.609(b)(4)].

Periodic Payments Excluded from Annual Income

- Payments received for the care of foster children or foster adults (usually persons with disabilities, unrelated to the tenant family, who are unable to live alone) [24 CFR 5.609(c)(2)]

The PHA will exclude payments for the care of foster children and foster adults only if the care is provided through an official arrangement with a local welfare agency.

- Amounts paid by a state agency to a family with a member who has a developmental disability and is living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home [24 CFR 5.609(c)(16)]
- Amounts received under the Low-Income Home Energy Assistance Program (42 U.S.C. 1626(c)) [24 CFR 5.609(c)(17)]
- Amounts received under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858q) [24 CFR 5.609(c)(17)]
- Earned Income Tax Credit (EITC) refund payments (26 U.S.C. 32(j)) [24 CFR 5.609(c)(17)]. *Note:* EITC may be paid periodically if the family elects to receive the amount due as part of payroll payments from an employer.
- Lump sums received as a result of delays in processing Social Security and SSI payments (see section 6-I.J.) [24 CFR 5.609(b)(4)].

I. PAYMENTS IN LIEU OF EARNINGS

Payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation, and severance pay, are counted as income [24 CFR 5.609(b)(5)] if they are received either in the form of periodic payments or in the form of a lump-sum amount or prospective monthly amounts for the delayed start of a periodic payment. If they are received in a one-time lump sum (as a settlement, for instance), they are treated as lump-sum receipts [24 CFR 5.609(c)(3)]. (See also the discussion of periodic payments in section 6-I.H and the discussion of lump-sum receipts in section 6-I.G.)

J. WELFARE ASSISTANCE

Overview

Welfare assistance is counted in annual income. Welfare assistance includes Temporary Assistance for Needy Families (TANF) and any payments to individuals or families based on need that are made under programs funded separately or jointly by federal, state, or local governments [24 CFR 5.603(b)].

Sanctions Resulting in the Reduction of Welfare Benefits [24 CFR 5.615]

The PHA must make a special calculation of annual income when the welfare agency imposes certain sanctions on certain families. The full text of the regulation at 24 CFR 5.615 is provided as Exhibit 6-5. The requirements are summarized below. This rule applies only if a family was a public housing resident at the time the sanction was imposed.

Covered Families

The families covered by 24 CFR 5.615 are those “who receive welfare assistance or other public assistance benefits (‘welfare benefits’) from a State or other public agency (‘welfare agency’) under a program for which Federal, State or local law requires that a member of the family must participate in an economic self-sufficiency program as a condition for such assistance” [24 CFR 5.615(b)]

Imputed Income

When a welfare agency imposes a sanction that reduces a family’s welfare income because the family commits fraud or fails to comply with the agency’s economic self-sufficiency program or work activities requirement, the PHA must include in annual income “imputed” welfare income. The PHA must request that the welfare agency inform the PHA when the benefits of a public housing resident are reduced. The imputed income is the amount the family would have received if the family had not been sanctioned.

This requirement does not apply to reductions in welfare benefits: (1) at the expiration of the lifetime or other time limit on the payment of welfare benefits, (2) if a family member is unable to find employment even though the family member has complied with the welfare agency economic self-sufficiency or work activities requirements, or (3) because a family member has not complied with other welfare agency requirements [24 CFR 5.615(b)(2)].

For special procedures related to grievance hearings based upon the PHA’s denial of a family’s request to lower rent when the family experiences a welfare benefit reduction, see Chapter 14, Grievances and Appeals.

Offsets

The amount of the imputed income is offset by the amount of additional income the family begins to receive after the sanction is imposed. When the additional income equals or exceeds the imputed welfare income, the imputed income is reduced to zero [24 CFR 5.615(c)(4)].

K. PERIODIC AND DETERMINABLE ALLOWANCES [24 CFR 5.609(b)(7)]

Annual income includes periodic and determinable allowances, such as alimony and child support payments, and regular contributions or gifts received from organizations or from persons not residing with a tenant family.

Alimony and Child Support

The PHA must count alimony or child support amounts awarded as part of a divorce or separation agreement.

The PHA will count court-awarded amounts for alimony and child support unless the PHA verifies that (1) the payments are not being made and (2) the family has made reasonable efforts to collect amounts due, including filing with courts or agencies responsible for enforcing payments. Families who do not have court-awarded alimony and child support awards are not required to seek a court award and are not required to take independent legal action to obtain collection.

Regular Contributions or Gifts

The PHA must count as income regular monetary and nonmonetary contributions or gifts from persons not residing with a tenant family [24 CFR 5.609(b)(7)]. Temporary, nonrecurring, or sporadic income and gifts are not counted [24 CFR 5.609(c)(9)].

Examples of regular contributions include: (1) regular payment of a family's bills (e.g., utilities, telephone, rent, credit cards, and car payments), (2) cash or other liquid assets provided to any family member on a regular basis, and (3) "in-kind" contributions such as groceries and clothing provided to a family on a regular basis.

Nonmonetary contributions will be valued at the cost of purchasing the items, as determined by the PHA. For contributions that may vary from month to month (e.g., utility payments), the PHA will include an average amount based upon past history

L. ADDITIONAL EXCLUSIONS FROM ANNUAL INCOME

Other exclusions contained in 24 CFR 5.609(c) that have not been discussed earlier in this chapter include the following:

- Reimbursement of medical expenses [24 CFR 5.609(c)(4)]
- The full amount of student financial assistance paid directly to the student or to the educational institution [24 CFR 5.609(c)(6)], except that in accordance with Section 224 of the FY 2005 Appropriations Act, the portion of any athletic scholarship assistance available for housing costs must be included in annual income [PIH Notice 2005-16].
- Regular financial support from parents or guardians to students for food, clothing personal items, and entertainment is **not** considered student financial assistance and is included in annual income.
- Amounts received by participants in other publicly assisted programs which are specifically for or in reimbursement of out-of-pocket expenses incurred and which are made solely to allow participation in a specific program [24 CFR 5.609(c)(8)(iii)]
- Amounts received by a person with a disability that are disregarded for a limited time for purposes of Supplemental Security Income eligibility and benefits because they are set aside for use under a Plan to Attain Self-Sufficiency (PASS) [(24 CFR 5.609(c)(8)(ii)]
- Reparation payments paid by a foreign government pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era [24 CFR 5.609(c)(10)]
- Adoption assistance payments in excess of \$480 per adopted child [24 CFR 5.609(c)(12)]

- Refunds or rebates on property taxes paid on the dwelling unit [24 CFR 5.609(c)(15)]
- Amounts paid by a state agency to a family with a member who has a developmental disability and is living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home [24 CFR 5.609(c)(16)]
- Amounts specifically excluded by any other federal statute [24 CFR 5.609(c)(17)]. HUD publishes an updated list of these exclusions periodically. It includes:
 - (a) The value of the allotment provided to an eligible household under the Food Stamp Act of 1977 (7 U.S.C. 2017 (b))
 - (b) Payments to Volunteers under the Domestic Volunteer Services Act of 1973 (42 U.S.C. 5044(g), 5058)
 - (c) Payments received under the Alaska Native Claims Settlement Act (43 U.S.C. 1626(c))
 - (d) Income derived from certain submarginal land of the United States that is held in trust for certain Indian tribes (25 U.S.C. 459e)
 - (e) Payments or allowances made under the Department of Health and Human Services' Low-Income Home Energy Assistance Program (42 U.S.C. 8624(f))
 - (f) Payments received under programs funded in whole or in part under the Job Training Partnership Act (29 U.S.C. 1552(b)) (Effective July 1, 2000, references to Job Training Partnership Act shall be deemed to refer to the corresponding provision of the Workforce Investment Act of 1998 (29 U.S.C. 2931).)
 - (g) Income derived from the disposition of funds to the Grand River Band of Ottawa Indians (Pub. L. 94-540, 90 Stat. 2503-04)
 - (h) The first \$2,000 of per capita shares received from judgment funds awarded by the Indian Claims Commission or the U. S. Claims Court, the interests of individual Indians in trust or restricted lands, including the first \$2,000 per year of income received by individual Indians from funds derived from interests held in such trust or restricted lands (25 U.S.C. 1407-1408)
 - (i) Amounts of scholarships funded under title IV of the Higher Education Act of 1965, including awards under the federal work-study program or under the Bureau of Indian Affairs student assistance programs (20 U.S.C. 1087uu)
 - (j) Payments received from programs funded under Title V of the Older Americans Act of 1985 (42 U.S.C. 3056(f))
 - (k) Payments received on or after January 1, 1989, from the Agent Orange Settlement Fund or any other fund established pursuant to the settlement in In Re Agent-product liability litigation, M.D.L. No. 381 (E.D.N.Y.)
 - (l) Payments received under the Maine Indian Claims Settlement Act of 1980 (25 U.S.C. 1721)
 - (m) The value of any child care provided or arranged (or any amount received as payment for such care or reimbursement for costs incurred for such care) under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858q)

- (n) Earned income tax credit (EITC) refund payments received on or after January 1, 1991 **(26 U.S.C. 32(j))**
- (o) Payments by the Indian Claims Commission to the Confederated Tribes and Bands of Yakima Indian Nation or the Apache Tribe of Mescalero Reservation **(Pub. L. 95-433)**
- (p) Allowances, earnings and payments to AmeriCorps participants under the National and Community Service Act of 1990 **(42 U.S.C. 12637(d))**
- (q) Any allowance paid under the provisions of 38 U.S.C. 1805 to a child suffering from spina bifida who is the child of a Vietnam Veteran **(38 U.S.C. 1805)**
- (r) Any amount of crime victim compensation (under the Victims of Crime Act) received through crime victim assistance (or payment or reimbursement of the cost of such assistance) as determined under the Victims of Crime Act because of the commission of a crime against the applicant under the Victims of Crime Act **(42 U.S.C. 10602)**
- (s) Allowances, earnings and payments to individuals participating in programs under the Workforce Investment Act of 1998 **(29 U.S.C. 2931)**

PART II: ADJUSTED INCOME

A. INTRODUCTION

Overview

HUD regulations require PHAs to deduct from annual income any of five mandatory deductions for which a family qualifies. The resulting amount is the family's adjusted income. Mandatory deductions are found in **24 CFR 5.611**.

5.611(a) Mandatory deductions. In determining adjusted income, the responsible entity (PHA) must deduct the following amounts from annual income:

- (1) \$480 for each dependent;**
- (2) \$400 for any elderly family or disabled family;**
- (3) The sum of the following, to the extent the sum exceeds three percent of annual income:**
 - (i) Unreimbursed medical expenses of any elderly family or disabled family;**
 - (ii) Unreimbursed reasonable attendant care and auxiliary apparatus expenses for each member of the family who is a person with disabilities, to the extent necessary to enable any member of the family (including the member who is a person with disabilities) to be employed. This deduction may not exceed the earned income received by family members who are 18 years of age or older and who are able to work because of such attendant care or auxiliary apparatus; and**
- (4) Any reasonable child care expenses necessary to enable a member of the family to be employed or to further his or her education.**

This part covers policies related to these mandatory deductions. Verification requirements related to these deductions are found in Chapter 7, Verifications.

Anticipating Expenses

Generally, the PHA will use current circumstances to anticipate expenses. When possible, for costs that are expected to fluctuate during the year (e.g., child care during school and nonschool periods and cyclical medical expenses), the PHA will estimate costs based on historic data and known future costs.

If a family has an accumulated debt for medical or disability assistance expenses, the PHA will include as an eligible expense the portion of the debt that the family expects to pay during the period for which the income determination is being made. However, amounts previously deducted will not be allowed even if the amounts were not paid as expected in a preceding period. The PHA may require the family to provide documentation of payments made in the preceding year.

B. DEPENDENT DEDUCTION

A deduction of \$480 is taken for each dependent [24 CFR 5.611(a)(1)]. *Dependent* is defined as any family member other than the head, spouse, or cohead who is under the age of 18 or who is 18 or older and is a person with disabilities or a full-time student. Foster children, foster adults, and live-in aides are never considered dependents [24 CFR 5.603(b)].

C. ELDERLY OR DISABLED FAMILY DEDUCTION

A single deduction of \$400 is taken for any elderly or disabled family [24 CFR 5.611(a)(2)]. An *elderly family* is a family whose head, spouse, cohead, or sole member is 62 years of age or older, and a *disabled family* is a family whose head, spouse, cohead, or sole member is a person with disabilities [24 CFR 5.403].

D. MEDICAL EXPENSES DEDUCTION [24 CFR 5.611(a)(3)(i)]

Unreimbursed medical expenses may be deducted to the extent that, in combination with any disability assistance expenses, they exceed three percent of annual income.

The medical expense deduction is permitted only for families in which the head, spouse, or cohead is at least 62 or is a person with disabilities. If a family is eligible for a medical expense deduction, the medical expenses of all family members are counted.

Definition of Medical Expenses

HUD regulations define *medical expenses* at 24 CFR 5.603(b) to mean “medical expenses, including medical insurance premiums, that are anticipated during the period for which annual income is computed, and that are not covered by insurance.”

The most current IRS Publication 502, *Medical and Dental Expenses*, will be used to determine the costs that qualify as medical expenses.

Summary of Allowable Medical Expenses from IRS Publication 502	
Services of medical professionals Surgery and medical procedures that are necessary, legal, noncosmetic Services of medical facilities Hospitalization, long-term care, and in-home nursing services Prescription medicines and insulin, but <u>not</u> nonprescription medicines even if recommended by a doctor Improvements to housing directly related to medical needs (e.g., ramps for a wheel chair, handrails)	Substance abuse treatment programs Psychiatric treatment Ambulance services and some costs of transportation related to medical expenses The cost and care of necessary equipment related to a medical condition (e.g., eyeglasses/lenses, hearing aids, crutches, and artificial teeth) Cost and continuing care of necessary service animals Medical insurance premiums or the cost of a health maintenance organization (HMO)
Note: This chart provides a summary of eligible medical expenses only. Detailed information is provided in IRS Publication 502. Medical expenses are considered only to the extent they are not reimbursed by insurance or some other source.	

Families That Qualify for Both Medical and Disability Assistance Expenses

This policy applies only to families in which the head, spouse, or cohead is 62 or older or is a person with disabilities.

When expenses anticipated by a family could be defined as either medical or disability assistance expenses, the PHA will consider them medical expenses unless it is clear that the expenses are incurred exclusively to enable a person with disabilities to work.

E. DISABILITY ASSISTANCE EXPENSES DEDUCTION [24 CFR 5.603(b) and 24 CFR 5.611(a)(3)(ii)]

Reasonable expenses for attendant care and auxiliary apparatus for a disabled family member may be deducted if they: (1) are necessary to enable a family member 18 years or older to work, (2) are not paid to a family member or reimbursed by an outside source, (3) in combination with any medical expenses, exceed three percent of annual income, and (4) do not exceed the earned income received by the family member who is enabled to work.

Earned Income Limit on the Disability Assistance Expense Deduction

A family can qualify for the disability assistance expense deduction only if at least one family member (who may be the person with disabilities) is enabled to work [24 CFR 5.603(b)].

The disability expense deduction is capped by the amount of “earned income received by family members who are 18 years of age or older and who are able to work” because of the expense [24 CFR 5.611(a)(3)(ii)]. The earned income used for this purpose is the amount verified before any earned income disallowances or income exclusions are applied.

The family must identify the family members enabled to work as a result of the disability assistance expenses. In evaluating the family’s request, the PHA will consider factors such as how the work schedule of the relevant family members relates to the hours of care provided, the time required for transportation, the relationship of the family members to the person with disabilities, and any special needs of the person with disabilities that might determine which family members are enabled to work.

When the PHA determines that the disability assistance expenses enable more than one family member to work, the disability assistance expenses will be capped by the sum of the family members’ incomes [PH Occ GB, p. 124].

Eligible Disability Expenses

Examples of auxiliary apparatus are provided in the *PH Occupancy Guidebook* as follows: “Auxiliary apparatus: Including wheelchairs, walkers, scooters, reading devices for persons with visual disabilities, equipment added to cars and vans to permit their use by the family member with a disability, or service animals” [PH Occ GB, p. 124], but only if these items are directly related to permitting the disabled person or other family member to work.

HUD advises PHAs to further define and describe auxiliary apparatus.

Eligible Auxiliary Apparatus

Expenses incurred for maintaining or repairing an auxiliary apparatus are eligible. In the case of an apparatus that is specially adapted to accommodate a person with disabilities (e.g., a vehicle or computer), the cost to maintain the special adaptations (but not maintenance of the apparatus itself) is an eligible expense. The cost of service animals trained to give assistance to persons with disabilities, including the cost of acquiring the animal, veterinary care, food, grooming, and other continuing costs of care, will be included.

Eligible Attendant Care

The family determines the type of attendant care that is appropriate for the person with disabilities.

Attendant care includes, but is not limited to, reasonable costs for home medical care, nursing services, in-home or center-based care services, interpreters for persons with hearing impairments, and readers for persons with visual disabilities.

Attendant care expenses will be included for the period that the person enabled to work is employed plus reasonable transportation time. The cost of general housekeeping and personal services is not an eligible attendant care expense. However, if the person enabled to work is the person with disabilities, personal services necessary to enable the person with disabilities to work are eligible.

If the care attendant also provides other services to the family, the PHA will prorate the cost and allow only that portion of the expenses attributable to attendant care that enables a family member to work. For example, if the care provider also cares for a child who is not the person with disabilities, the cost of care must be prorated. Unless otherwise specified by the care provider, the calculation will be based upon the number of hours spent in each activity and/or the number of persons under care.

Payments to Family Members

No disability expenses may be deducted for payments to a member of a tenant family [23 CFR 5.603(b)]. However, expenses paid to a relative who is not a member of the tenant family may be deducted if they are reimbursed by an outside source.

Necessary and Reasonable Expenses

The family determines the type of care or auxiliary apparatus to be provided and must describe how the expenses enable a family member to work. The family must certify that the disability assistance expenses are necessary and are not paid or reimbursed by any other source.

The PHA determines the reasonableness of the expenses based on typical costs of care or apparatus in the locality. To establish typical costs, the PHA will collect information from organizations that provide services and support to persons with disabilities. A family may present, and the PHA will consider, the family's justification for costs that exceed typical costs in the area.

Families That Qualify for Both Medical and Disability Assistance Expenses

This policy applies only to families in which the head, spouse, or cohead is 62 or older or is a person with disabilities.

When expenses anticipated by a family could be defined as either medical or disability assistance expenses, the PHA will consider them medical expenses unless it is clear that the expenses are incurred exclusively to enable a person with disabilities to work.

F. CHILD CARE EXPENSE DEDUCTION

HUD defines *child care expenses* at **24 CFR 5.603(b)** as “amounts anticipated to be paid by the family for the care of children under 13 years of age during the period for which annual income is computed, but only where such care is necessary to enable a family member to actively seek employment, be gainfully employed, or to further his or her education and only to the extent such amounts are not reimbursed. The amount deducted shall reflect reasonable charges for child care. In the case of child care necessary to permit employment, the amount deducted shall not exceed the amount of employment income that is included in annual income.”

Child care expenses do not include child support payments made to another on behalf of a minor who is not living in an assisted family’s household. However, child care expenses for foster children that are living in the assisted family’s household, are included when determining the family’s child care expenses.

Qualifying for the Deduction

Determining Who Is Enabled to Pursue an Eligible Activity

The family must identify the family member(s) enabled to pursue an eligible activity. The term *eligible activity* in this section means any of the activities that may make the family eligible for a child care deduction (seeking work, pursuing an education, or being gainfully employed).

In evaluating the family’s request, the PHA will consider factors such as how the schedule for the claimed activity relates to the hours of care provided, the time required for transportation, the relationship of the family member(s) to the child, and any special needs of the child that might help determine which family member is enabled to pursue an eligible activity.

Seeking Work

If the child care expense being claimed is to enable a family member to seek employment, the family must provide evidence of the family member’s efforts to obtain employment at each reexamination. The deduction may be reduced or denied if the family member’s job search efforts are not commensurate with the child care expense being allowed by the PHA.

Furthering Education

If the child care expense being claimed is to enable a family member to further his or her education, the member must be enrolled in school (academic or vocational) or participating in a formal training program. The family member is not required to be a full-time student, but the time spent in educational activities must be commensurate with the child care claimed.

Being Gainfully Employed

If the child care expense being claimed is to enable a family member to be gainfully employed, the family must provide evidence of the family member’s employment during the time that child care is being provided. Gainful employment is any legal work activity (full- or part-time) for which a family member is compensated.

Earned Income Limit on Child Care Expense Deduction

When a family member looks for work or furthers his or her education, there is no cap on the amount that may be deducted for child care – although the care must still be necessary and

reasonable. However, when child care enables a family member to work, the deduction is capped by “the amount of employment income that is included in annual income” [24 CFR 5.603(b)].

The earned income used for this purpose is the amount of earned income verified after any earned income disallowances or income exclusions are applied.

When the person who is enabled to work is a person who receives the earned income disallowance (EID) or a full-time student whose earned income above \$480 is excluded, child care costs related to enabling a family member to work may not exceed the portion of the person’s earned income that actually is included in annual income. For example, if a family member who qualifies for the EID makes \$15,000 but because of the EID only \$5,000 is included in annual income, child care expenses are limited to \$5,000.

The PHA must not limit the deduction to the least expensive type of child care. If the care allows the family to pursue more than one eligible activity, including work, the cap is calculated in proportion to the amount of time spent working.

When the child care expense being claimed is to enable a family member to work, only one family member’s income will be considered for a given period of time. When more than one family member works during a given period, the PHA generally will limit allowable child care expenses to the earned income of the lowest-paid member. The family may provide information that supports a request to designate another family member as the person enabled to work.

Eligible Child Care Expenses

The type of care to be provided is determined by the tenant family. The PHA may not refuse to give a family the child care expense deduction because there is an adult family member in the household that may be available to provide child care [VG, p. 26].

Allowable Child Care Activities

For school-age children, costs attributable to public or private school activities during standard school hours are not considered. Expenses incurred for supervised activities after school or during school holidays (e.g., summer day camp, after-school sports league) are allowable forms of child care.

The costs of general housekeeping and personal services are not eligible. Likewise, child care expenses paid to a family member who lives in the family’s unit are not eligible; however, payments for child care to relatives who do not live in the unit are eligible.

If a child care provider also renders other services to a family or child care is used to enable a family member to conduct activities that are not eligible for consideration, the PHA will prorate the costs and allow only that portion of the expenses that is attributable to child care for eligible activities. For example, if the care provider also cares for a child with disabilities who is 13 or older, the cost of care will be prorated. Unless otherwise specified by the child care provider, the calculation will be based upon the number of hours spent in each activity and/or the number of persons under care.

Necessary and Reasonable Costs

Child care expenses will be considered necessary if: (1) a family adequately explains how the care enables a family member to work, actively seek employment, or further his or her education,

and (2) the family certifies, and the child care provider verifies, that the expenses are not paid or reimbursed by any other source.

Child care expenses will be considered for the time required for the eligible activity plus reasonable transportation time. For child care that enables a family member to go to school, the time allowed may include not more than one study hour for each hour spent in class.

To establish the reasonableness of child care costs, the PHA will use the schedule of child care costs from the local welfare agency. Families may present, and the PHA will consider, justification for costs that exceed typical costs in the area

G. PERMISSIVE DEDUCTIONS [24 CFR 5.611(b)(1)]

Permissive deductions are additional, optional deductions that may be applied to annual income. As with mandatory deductions, permissive deductions must be based on need or family circumstance and deductions must be designed to encourage self-sufficiency or other economic purpose. If the PHA offers permissive deductions, they must be granted to all families that qualify for them and should complement existing income exclusions and deductions [PH Occ GB, p. 128].

The *Form HUD-50058 Instruction Booklet* states that the maximum allowable amount for total permissive deductions is less than \$90,000 per year.

The PHA has opted not to use permissive deductions.

PART III: CALCULATING RENT

A. OVERVIEW OF INCOME-BASED RENT CALCULATIONS

The first step in calculating income-based rent is to determine each family's total tenant payment (TTP). Then, if the family is occupying a unit that has tenant-paid utilities, the utility allowance is subtracted from the TTP. The result of this calculation, if a positive number, is the tenant rent. If the TTP is less than the utility allowance, the result of this calculation is a negative number, and is called the utility reimbursement, which may be paid to the family or directly to the utility company by the PHA.

TTP Formula [24 CFR 5.628]

HUD regulations specify the formula for calculating the total tenant payment (TTP) for a tenant family. TTP is the highest of the following amounts, rounded to the nearest dollar:

- 30 percent of the family's monthly adjusted income (adjusted income is defined in Part II)
- 10 percent of the family's monthly gross income (annual income, as defined in Part I, divided by 12)
- The welfare rent (in as-paid states only)
- A minimum rent between \$0 and \$50 that is established by the PHA

The PHA has authority to suspend and exempt families from minimum rent when a financial hardship exists, as defined in Section B.

Welfare Rent [24 CFR 5.628]

Welfare rent does not apply in this locality.

Minimum Rent [24 CFR 5.630]

The minimum rent for this locality is \$50.00.

Optional Changes to Income-Based Rents [24 CFR 960.253(c)(2) and PH Occ GB, pp. 131-134]

PHAs have been given very broad flexibility to establish their own, unique rent calculation systems as long as the rent produced is not higher than that calculated using the TTP and mandatory deductions. At the discretion of the PHA, rent policies may structure a system that uses combinations of permissive deductions, escrow accounts, income-based rents, and the required flat and minimum rents.

The PHA's minimum rent and rent choice policies still apply to affected families. Utility allowances are applied to PHA designed income-based rents in the same manner as they are applied to the regulatory income-based rents.

The choices are limited only by the requirement that the method used not produce a TTP or tenant rent greater than the TTP or tenant rent produced under the regulatory formula.

The PHA chooses not to adopt optional changes to income-based rents.

Ceiling Rents [24 CFR 960.253 (c)(2) and (d)]

Ceiling rents are used to cap income-based rents. They are part of the income-based formula. If the calculated TTP exceeds the ceiling rent for the unit, the ceiling rent is used to calculate tenant rent (ceiling rent/TTP minus utility allowance). Increases in income do not affect the family since the rent is capped. The use of ceiling rents fosters upward mobility and income mixing.

Because of the mandatory use of flat rents, the primary function of ceiling rents now is to assist families who cannot switch back to flat rent between annual reexaminations and would otherwise be paying an income-based tenant rent that is higher than the flat rent.

Ceiling rents must be set to the level required for flat rents (which will require the addition of the utility allowance to the flat rent for properties with tenant-paid utilities) [PH Occ GB, p. 135].

The PHA chooses not to use ceiling rents.

Utility Reimbursement [24 CFR 960.253(c)(3)]

Utility reimbursement occurs when any applicable utility allowance for tenant-paid utilities exceeds the TTP. HUD permits the PHA to pay the reimbursement to the family or directly to the utility provider.

Any Tenant who is eligible for a utility reimbursement, this payment will not go to the Tenant, but rather to the utility company on the tenant's behalf.

B. FINANCIAL HARDSHIPS AFFECTING MINIMUM RENT [24 CFR 5.630]

Overview

If the PHA establishes a minimum rent greater than zero, the PHA must grant an exemption from the minimum rent if a family is unable to pay the minimum rent because of financial hardship. The PHA has established a minimum rent of \$50.00.

The financial hardship exemption applies only to families required to pay the minimum rent. If a family's TTP is higher than the minimum rent, the family is not eligible for a hardship exemption. If the PHA determines that a hardship exists, the TTP is the highest of the remaining components of the family's calculated TTP.

HUD-Defined Financial Hardship

Financial hardship includes the following situations:

- (1) The family has lost eligibility for or is awaiting an eligibility determination for a federal, state, or local assistance program. This includes a family member who is a noncitizen lawfully admitted for permanent residence under the Immigration and Nationality Act who would be entitled to public benefits but for Title IV of the Personal Responsibility and Work Opportunity Act of 1996.

A hardship will be considered to exist only if the loss of eligibility has an impact on the family's ability to pay the minimum rent.

For a family waiting for a determination of eligibility, the hardship period will end as of the first of the month following (1) implementation of assistance, if approved, or (2) the decision to deny assistance. A family whose request for assistance is denied may request a hardship exemption based upon one of the other allowable hardship circumstances.

- (2) The family would be evicted because it is unable to pay the minimum rent.

For a family to qualify under this provision, the cause of the potential eviction must be the family's failure to pay rent or tenant-paid utilities.

- (3) Family income has decreased because of changed family circumstances, including the loss of employment.

- (4) A death has occurred in the family.

In order to qualify under this provision, a family must describe how the death has created a financial hardship (e.g., because of funeral-related expenses or the loss of the family member's income).

- (5) The family has experienced other circumstances determined by the PHA.

The PHA has not established any additional hardship criteria.

Implementation of Hardship Exemption

Determination of Hardship

When a family requests a financial hardship exemption, the PHA must suspend the minimum rent requirement beginning the first of the month following the family's request.

The PHA then determines whether the financial hardship exists and whether the hardship is temporary or long-term.

The PHA defines temporary hardship as a hardship expected to last 90 days or less. Long term hardship is defined as a hardship expected to last more than 90 days.

The PHA may not evict the family for nonpayment of minimum rent during the 90-day period beginning the month following the family's request for a hardship exemption.

When the minimum rent is suspended, the TTP reverts to the highest of the remaining components of the calculated TTP. The example below demonstrates the effect of the minimum rent exemption.

Example: Impact of Minimum Rent Exemption	
Assume the PHA has established a minimum rent of \$35.	
TTP – No Hardship	TTP – With Hardship
\$0 30% of monthly adjusted income	\$0 30% of monthly adjusted income
\$15 10% of monthly gross income	\$15 10% of monthly gross income
N/A Welfare rent	N/A Welfare rent
\$35 Minimum rent	\$35 Minimum rent
Minimum rent applies. TTP = \$35	Hardship exemption granted. TTP = \$15

To qualify for a hardship exemption, a family must submit a request for a hardship exemption in writing. The request must explain the nature of the hardship and how the hardship has affected the family's ability to pay the minimum rent.

The PHA will make the determination of hardship within 30 calendar days.

No Financial Hardship

If the PHA determines there is no financial hardship, the PHA will reinstate the minimum rent and require the family to repay the amounts suspended.

For procedures pertaining to grievance hearing requests based upon the PHA's denial of a hardship exemption, see Chapter 14, Grievances and Appeals.

The PHA will require the family to repay the suspended amount within 30 calendar days of the PHA's notice that a hardship exemption has not been granted.

Temporary Hardship

If the PHA determines that a qualifying financial hardship is temporary, the PHA must reinstate the minimum rent from the beginning of the first of the month following the date of the family's request for a hardship exemption.

The family must resume payment of the minimum rent and must repay the PHA the amounts suspended. HUD requires the PHA to offer a reasonable repayment agreement, on terms and conditions established by the PHA. The PHA also may determine that circumstances have changed and the hardship is now a long-term hardship.

For procedures pertaining to grievance hearing requests based upon the PHA's denial of a hardship exemption, see Chapter 14, Grievances and Appeals.

The PHA will enter into a repayment agreement in accordance with the PHA's repayment agreement policy (see Chapter 16).

Long-Term Hardship

If the PHA determines that the financial hardship is long-term, the PHA must exempt the family from the minimum rent requirement for so long as the hardship continues. The exemption will apply from the first of the month following the family's request until the end of the qualifying hardship. When the financial hardship has been determined to be long-term, the family is not required to repay the minimum rent.

The hardship period ends when any of the following circumstances apply:

- (1) At an interim or annual reexamination, the family's calculated TTP is greater than the minimum rent.
- (2) For hardship conditions based on loss of income, the hardship condition will continue to be recognized until new sources of income are received that are at least equal to the amount lost. For example, if a hardship is approved because a family no longer receives a \$60/month child support payment, the hardship will continue to exist until the family receives at least \$60/month in income from another source or once again begins to receive the child support.
- (3) For hardship conditions based upon hardship-related expenses, the minimum rent exemption will continue to be recognized until the cumulative amount exempted is equal to the expense incurred.

C. UTILITY ALLOWANCES [24 CFR 965, Subpart E]

Overview

Utility allowances are provided to families paying income-based rents when the cost of utilities is not included in the rent. When determining a family's income-based rent, the PHA must use the utility allowance applicable to the type of dwelling unit leased by the family.

For policies on establishing and updating utility allowances, see Chapter 16.

Reasonable Accommodation [24 CFR 8]

On request from a family, PHAs must approve a utility allowance that is higher than the applicable amount for the dwelling unit if a higher utility allowance is needed as a reasonable accommodation to make the program accessible to and usable by the family with a disability [PH Occ GB, p. 172].

Residents with disabilities may not be charged for the use of certain resident-supplied appliances if there is a verified need for special equipment because of the disability [PH Occ GB, p. 172].

See Chapter 2 for policies related to reasonable accommodations.

Utility Allowance Revisions [24 CFR 965.507]

The PHA must review its schedule of utility allowances each year. Between annual reviews, the PHA must revise the utility allowance schedule if there is a rate change that by itself or together

with prior rate changes not adjusted for, results in a change of 10 percent or more from the rate on which such allowances were based. Adjustments to resident payments as a result of such changes must be retroactive to the first day of the month following the month in which the last rate change taken into account in such revision became effective [PH Occ GB, p. 171].

The tenant rent calculations must reflect any changes in the PHA's utility allowance schedule [24 CFR 960.253(c)(3)].

D. PRORATED RENT FOR MIXED FAMILIES [24 CFR 5.520]

HUD regulations prohibit assistance to ineligible family members. A *mixed family* is one that includes at least one U.S. citizen or eligible immigrant and any number of ineligible family members. The PHA must prorate the assistance provided to a mixed family. The PHA will first determine TTP as if all family members were eligible and then prorate the rent based upon the number of family members that actually are eligible. To do this, the PHA must:

- (1) Subtract the TTP from a maximum rent applicable to the unit. The result is the maximum subsidy for which the family could qualify if all members were eligible.
- (2) Divide the family maximum subsidy by the number of persons in the family to determine the maximum subsidy per each family member who is eligible (member maximum subsidy).
- (3) Multiply the member maximum subsidy by the number of eligible family members.
- (4) Subtract the subsidy calculated in the last step from the maximum rent. This is the prorated TTP.
- (5) Subtract the utility allowance for the unit from the prorated TTP. This is the prorated rent for the mixed family.

Revised public housing maximum rents will be applied to a family's rent calculation at the first annual reexamination after the revision is adopted.

For policies related to the establishment of the public housing maximum rent see Chapter 16

E. FLAT RENTS AND FAMILY CHOICE IN RENTS [24 CFR 960.253]

Flat Rents [24 CFR 960.253(b)]

The flat rent is designed to encourage self-sufficiency and to avoid creating disincentives for continued residency by families who are attempting to become economically self-sufficient.

There is no utility allowance or reimbursement with flat rents. When the family elects to pay the flat rent, the flat rent amount quoted to the family by the PHA is the amount the family pays. Changes in family income, expenses, or composition will not affect the flat rent amount because it is outside the income-based formula.

Policies related to the reexamination of families paying flat rent are contained in Chapter 9, and policies related to the establishment and review of flat rents are contained in Chapter 16.

Family Choice in Rents [24 CFR 960.253(a) and (e)]

Once each year, the PHA must offer families the choice between a flat rent and an income-based rent. The family may not be offered this choice more than once a year. The PHA must document that flat rents were offered to families under the methods used to determine flat rents for the PHA.

The annual PHA offer to a family of the choice between flat and income-based rent will be conducted upon admission and upon each subsequent annual reexamination.

The PHA will require families to submit their choice of flat or income-based rent in writing and will maintain such requests in the tenant file as part of the admission or annual reexamination process.

The PHA must provide sufficient information for families to make an informed choice. This information must include the PHA's policy on switching from flat rent to income-based rent due to financial hardship and the dollar amount of the rent under each option. However, if the family chose the flat rent for the previous year the PHA is required to provide an income-based rent amount only in the year that a reexamination of income is conducted or if the family specifically requests it and submits updated income information.

Switching from Flat Rent to Income-Based Rent Due to Hardship [24 CFR 960.253(f)]

A family can opt to switch from flat rent to income-based rent at any time if they are unable to pay the flat rent due to financial hardship. If the PHA determines that a financial hardship exists, the PHA must immediately allow the family to switch from flat rent to the income-based rent.

Upon determination by the PHA that a financial hardship exists, the PHA will allow a family to switch from flat rent to income-based rent effective the first of the month following the family's request.

Reasons for financial hardship include:

- The family has experienced a decrease in income because of changed circumstances, including loss or reduction of employment, death in the family, or reduction in or loss of earnings or other assistance
- The family has experienced an increase in expenses, because of changed circumstances, for medical costs, child care, transportation, education, or similar items
- Such other situations determined by the PHA to be appropriate

The PHA considers payment of flat rent to be a financial hardship whenever the switch to income-based rent would be lower than the flat rent [PH Occ GB, p. 137].

The family may also have the option of switching from income-based rent to flat rent if an increase in income warrants an Interim Reexamination, and if it is determined that a financial hardship exists due to the increase in income, which would result in the family paying less with a flat rent than the income-based rent. This is permitted on the theory that the PHA would rather not lose the family because of the financial hardship of the increased rent.

Change and Review of Flat Rents

The PHA will review flat rents annually. Changes to flat rents, up or down, will not affect families paying flat rent until their next annual flat rent offer, at which time the family will be given the choice of switching back to income-based rent or of remaining on flat rent at the current (most recently adjusted) flat rent for their unit [PH Occ GB, pp. 137-138].

Flat Rents and Earned Income Disallowance [A&O FAQs]

Because the EID is a function of income-based rents, a family paying flat rent cannot qualify for the EID even if a family member experiences an event that would qualify the family for the EID. If the family later chooses to pay income-based rent, they would only qualify for the EID if a new qualifying event occurred.

A family currently paying flat rent that previously qualified for the EID while paying income-based rent and is currently within their 48 month period would have the 12 cumulative months of full (100 percent) and phase-in (50 percent) exclusion continue while paying flat rent as long as the employment that is the subject of the exclusion continues, and the 48-month lifetime limit would continue uninterrupted. A family paying flat rent could therefore see a family member's 48-month lifetime limit expire while the family is paying flat rent.

Flat Rents and Mixed Families [A&O FAQs]

Mixed families electing to pay flat rent must first have a flat rent worksheet completed to see if the flat rent must be prorated. The worksheet is located in Appendix III of the *Form HUD-50058 Instruction Booklet*.

If the flat rent is greater than or equal to the public housing maximum rent, there is no proration of flat rent and the family pays the flat rent for the unit.

If the flat rent is less than the maximum rent, the worksheet will calculate a prorated flat rent. The mixed family will pay the prorated flat rent.

EXHIBIT 6-1: ANNUAL INCOME INCLUSIONS

24 CFR 5.609

(a) Annual income means all amounts, monetary or not, which:

- (1) Go to, or on behalf of, the family head or spouse (even if temporarily absent) or to any other family member; or
- (2) Are anticipated to be received from a source outside the family during the 12-month period following admission or annual reexamination effective date; and
- (3) Which are not specifically excluded in paragraph (c) of this section.
- (4) Annual income also means amounts derived (during the 12-month period) from assets to which any member of the family has access.

(b) Annual income includes, but is not limited to:

- (1) The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services;
- (2) The net income from the operation of a business or profession. Expenditures for business expansion or amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or assets from the operation of a business or profession will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested in the operation by the family;

(3) Interest, dividends, and other net income of any kind from real or personal property. Expenditures for amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation is permitted only as authorized in paragraph (b)(2) of this section. Any withdrawal of cash or assets from an investment will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested by the family. Where the family has net family assets in excess of \$5,000, annual income shall include the greater of the actual income derived from all net family assets or a percentage of the value of such assets based on the current passbook savings rate, as determined by HUD;

(4) The full amount of periodic amounts received from Social Security, annuities, insurance policies, retirement funds, pensions, disability or death benefits, and other similar types of periodic receipts, including a lump-sum amount or prospective monthly amounts for the delayed start of a periodic amount (except as provided in paragraph (c)(14) of this section);

(5) Payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation and severance pay (except as provided in paragraph (c)(3) of this section);

(6) Welfare assistance payments.

(i) Welfare assistance payments made under the Temporary Assistance for Needy Families (TANF) program are included in annual income only to the extent such payments:

(A) Qualify as assistance under the TANF program definition at 45 CFR 260.31¹; and

(B) Are not otherwise excluded under paragraph (c) of this section.

¹ Text of 45 CFR 260.31 follows (next page).

(ii) If the welfare assistance payment includes an amount specifically designated for shelter and utilities that is subject to adjustment by the welfare assistance agency in accordance with the actual cost of shelter and utilities, the amount of welfare assistance income to be included as income shall consist of:

(A) The amount of the allowance or grant exclusive of the amount specifically designated for shelter or utilities; plus

(B) The maximum amount that the welfare assistance agency could in fact allow the family for shelter and utilities. If the family's welfare assistance is ratably reduced from the standard of need by applying a percentage, the amount calculated under this paragraph shall be the amount resulting from one application of the percentage.

(7) Periodic and determinable allowances, such as alimony and child support payments, and regular contributions or gifts received from organizations or from persons not residing in the dwelling;

(8) All regular pay, special pay and allowances of a member of the Armed Forces (except as provided in paragraph (c)(7) of this section)

(9) For section 8 programs only and as provided in 24 CFR 5.612, any financial assistance, in excess of amounts received for tuition, that an individual receives under the Higher Education Act of 1965 (20 U.S.C. 1001 *et seq.*), from private sources, or from an institution of higher education (as defined under the Higher Education Act of 1965 (20 U.S.C. 1002)), shall be considered income to that individual, except that financial assistance described in this paragraph is not considered annual income for persons over the age of 23 with dependent children. For purposes of this paragraph, "financial assistance" does not include loan proceeds for the purpose of determining income.

HHS DEFINITION OF "ASSISTANCE"

45 CFR: GENERAL TEMPORARY ASSISTANCE FOR NEEDY FAMILIES

260.31 What does the term "assistance" mean?

(a)(1) The term "assistance" includes cash, payments, vouchers, and other forms of benefits designed to meet a family's ongoing basic needs (i.e., for food, clothing, shelter, utilities, household goods, personal care items, and general incidental expenses).

(2) It includes such benefits even when they are:

(i) Provided in the form of payments by a TANF agency, or other agency on its behalf, to individual recipients; and

(ii) Conditioned on participation in work experience or community service (or any other work activity under 261.30 of this chapter).

(3) Except where excluded under paragraph (b) of this section, it also includes supportive services such as transportation and child care provided to families who are not employed.

(b) [The definition of "assistance"] excludes: (1) Nonrecurrent, short-term benefits that:

(i) Are designed to deal with a specific crisis situation or episode of need;

(ii) Are not intended to meet recurrent or ongoing needs; and

(iii) Will not extend beyond four months.

(2) Work subsidies (i.e., payments to employers or third parties to help cover the costs of employee wages, benefits, supervision, and training);

(3) Supportive services such as child care and transportation provided to families who are employed;

(4) Refundable earned income tax credits;

(5) Contributions to, and distributions from, Individual Development Accounts;

(6) Services such as counseling, case management, peer support, child care information and referral, transitional services, job retention, job advancement, and other employment-related services that do not provide basic income support; and

(7) Transportation benefits provided under a Job Access or Reverse Commute project, pursuant to section 404(k) of [the Social Security] Act, to an individual who is not otherwise receiving assistance

EXHIBIT 6-2: ANNUAL INCOME EXCLUSIONS

24 CFR 5.609

(c) Annual income does not include the following:

(1) Income from employment of children (including foster children) under the age of 18 years;

(2) Payments received for the care of foster children or foster adults (usually persons with disabilities, unrelated to the tenant family, who are unable to live alone);

(3) Lump-sum additions to family assets, such as inheritances, insurance payments (including payments under health and accident insurance and worker's compensation), capital gains and settlement for personal or property losses (except as provided in paragraph (b)(5) of this section);

(4) Amounts received by the family that are specifically for, or in reimbursement of, the cost of medical expenses for any family member;

(5) Income of a live-in aide, as defined in Sec. 5.403;

(6) Subject to paragraph (b)(9) of this section, the full amount of student financial assistance paid directly to the student or to the educational institution;

(7) The special pay to a family member serving in the Armed Forces who is exposed to hostile fire;

(8) (i) Amounts received under training programs funded by HUD;

(ii) Amounts received by a person with a disability that are disregarded for a limited time for purposes of Supplemental Security Income eligibility and benefits because they are set aside for use under a Plan to Attain Self-Sufficiency (PASS);

(iii) Amounts received by a participant in other publicly assisted programs which are specifically for or in reimbursement of out-of-pocket expenses incurred (special equipment, clothing, transportation, child care, etc.) and which are made solely to allow participation in a specific program;

(iv) Amounts received under a resident service stipend. A resident service stipend is a modest amount (not to exceed \$200 per month) received by a resident for performing a service for the PHA or owner, on a part-time basis, that enhances the quality of life in the development. Such services may include, but are not limited to, fire patrol, hall monitoring, lawn maintenance, resident initiatives coordination, and serving as a member of the PHA's governing board. No resident may receive more than one such stipend during the same period of time;

(v) Incremental earnings and benefits resulting to any family member from participation in qualifying State or local employment training programs (including training programs not affiliated with a local government) and training of a family member as resident management staff. Amounts excluded by this provision must be received under employment training programs with clearly defined goals and objectives, and are excluded only for the period during which the family member participates in the employment training program;

(9) Temporary, nonrecurring or sporadic income (including gifts);

(10) Reparation payments paid by a foreign government pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era;

(11) Earnings in excess of \$480 for each full-time student 18 years old or older (excluding the head of household and spouse);

(12) Adoption assistance payments in excess of \$480 per adopted child;

(13) [Reserved]

(14) Deferred periodic amounts from supplemental security income and social security benefits that are received in a lump sum amount or in prospective monthly amounts.

(15) Amounts received by the family in the form of refunds or rebates under State or local law for property taxes paid on the dwelling unit;

(16) Amounts paid by a State agency to a family with a member who has a developmental disability and is living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home; or

(17) Amounts specifically excluded by any other Federal statute from consideration as income for purposes of determining eligibility or benefits under a category of assistance programs that includes assistance under any program to which the exclusions set forth in 24 CFR 5.609(c) apply. A notice will be published in the Federal Register and distributed to PHAs and housing owners identifying the benefits that qualify for this exclusion. Updates will be published and distributed when necessary. [See the following chart for a list of benefits that qualify for this exclusion.]

<p>Sources of Income Excluded by Federal Statute from Consideration as Income for Purposes of Determining Eligibility or Benefits</p>

a) The value of the allotment provided to an eligible household under the Food Stamp Act of 1977 (7 U.S.C. 2017 (b));

b) Payments to Volunteers under the Domestic Volunteer Services Act of 1973 (42 U.S.C. 5044(g), 5058);

c) Payments received under the Alaska Native Claims Settlement Act (43 U.S.C. 1626(c));

d) Income derived from certain submarginal land of the United States that is held in trust for certain Indian tribes (25 U.S.C. 459e);

e) Payments or allowances made under the Department of Health and Human Services' Low-Income Home Energy Assistance Program (42 U.S.C. 8624(f));

f) Payments received under programs funded in whole or in part under the Job Training Partnership Act (29 U.S.C. 1552(b)); (effective July 1, 2000, references to Job Training Partnership Act shall be deemed to refer to the corresponding provision of the Workforce Investment Act of 1998 (29 U.S.C. 2931);

g) Income derived from the disposition of funds to the Grand River Band of Ottawa Indians (Pub.L- 94-540, 90 Stat. 2503-04);

h) The first \$2000 of per capita shares received from judgment funds awarded by the Indian Claims Commission or the U. S. Claims Court, the interests of individual Indians in trust or restricted lands, including the first \$2000 per year of income received by individual Indians from funds derived from interests held in such trust or restricted lands (25 U.S.C. 1407-1408);

i) Amounts of scholarships funded under title IV of the Higher Education Act of 1965, including awards under federal work-study program or under the Bureau of Indian Affairs student assistance programs (20 U.S.C. 1087uu);

j) Payments received from programs funded under Title V of the Older Americans Act of 1985 (42 U.S.C. 3056(f));

k) Payments received on or after January 1, 1989, from the Agent Orange Settlement Fund or any other fund established pursuant to the settlement in In Re Agent-product liability litigation, M.D.L. No. 381 (E.D.N.Y.);

l) Payments received under the Maine Indian Claims Settlement Act of 1980 (25 U.S.C. 1721);

m) The value of any child care provided or arranged (or any amount received as payment for such care or reimbursement for costs incurred for such care) under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858q);

n) Earned income tax credit (EITC) refund payments received on or after January 1, 1991 (26 U.S.C. 32(j));

o) Payments by the Indian Claims Commission to the Confederated Tribes and Bands of Yakima Indian Nation or the Apache Tribe of Mescalero Reservation (Pub. L. 95-433);

p) Allowances, earnings and payments to AmeriCorps participants under the National and Community Service Act of 1990 (42 U.S.C. 12637(d));

q) Any allowance paid under the provisions of 38 U.S.C. 1805 to a child suffering from

spina bifida who is the child of a Vietnam veteran (38 U.S.C. 1805);

r) Any amount of crime victim compensation (under the Victims of Crime Act) received through crime victim assistance (or payment or reimbursement of the cost of such assistance) as determined under the Victims of Crime Act because of the commission of a crime against the applicant under the Victims of Crime Act (42 U.S.C. 10602); and

s) Allowances, earnings and payments to individuals participating in programs under the Workforce Investment Act of 1998 (29 U.S.C. 2931).

EXHIBIT 6-3: TREATMENT OF FAMILY ASSETS

24 CFR 5.603(b) Net Family Assets

(1) Net cash value after deducting reasonable costs that would be incurred in disposing of real property, savings, stocks, bonds, and other forms of capital investment, excluding interests in Indian trust land and excluding equity accounts in HUD homeownership programs. The value of necessary items of personal property such as furniture and automobiles shall be excluded.

(2) In cases where a trust fund has been established and the trust is not revocable by, or under the control of, any member of the family or household, the value of the trust fund will not be considered an asset so long as the fund continues to be held in trust. Any income distributed from the trust fund shall be counted when determining annual income under Sec. 5.609.

(3) In determining net family assets, PHAs or owners, as applicable, shall include the value of any business or family assets disposed of by an applicant or tenant for less than fair market value (including a disposition in trust, but not in a foreclosure or bankruptcy sale) during the two years preceding the date of application for the program or reexamination, as applicable, in excess of the consideration received therefor. In the case of a disposition as part of a separation or divorce settlement, the disposition will not be considered to be for less than fair market value if the applicant or tenant receives important consideration not measurable in dollar terms.

(4) For purposes of determining annual income under Sec. 5.609, the term "net family assets" does not include the value of a home currently being purchased with assistance under part 982, subpart M of this title. This exclusion is limited to the first 10 years after the purchase date of the home.

EXHIBIT 6-4: EARNED INCOME DISALLOWANCE

24 CFR 960.255 Self-sufficiency incentive—Disallowance of increase in annual income.

(a) *Definitions.* The following definitions apply for purposes of this section.

Disallowance. Exclusion from annual income.

Previously unemployed includes a person who has earned, in the twelve months previous to employment, no more than would be received for 10 hours of work per week for 50 weeks at the established minimum wage.

Qualified family. A family residing in public housing:

(i) Whose annual income increases as a result of employment of a family member who was unemployed for one or more years previous to employment;

(ii) Whose annual income increases as a result of increased earnings by a family member during participation in any economic self-sufficiency or other job training program; or

(iii) Whose annual income increases, as a result of new employment or increased earnings of a family member, during or within six months after receiving assistance, benefits or services under any state program for temporary assistance for needy families funded under Part A of Title IV of the Social Security Act, as determined by the PHA in consultation with the local agencies administering temporary assistance for needy families (TANF) and Welfare-to-Work (WTW) programs. The TANF program is not limited to monthly income maintenance, but also includes such benefits and services as one-time payments, wage subsidies and transportation assistance—provided that the total amount over a six-month period is at least \$500.

(b) *Disallowance of increase in annual income.*

(1) *Initial twelve month exclusion.* During the cumulative twelve month period beginning on the date a member of a qualified family is first employed or the family first experiences an increase in annual income attributable to employment, the PHA must exclude from annual income (as defined in 5.609 of this title) of a qualified family any increase in income of the family member as a result of employment over prior income of that family member.

(2) *Second twelve month exclusion and phase-in.* During the second cumulative twelve month period after the date a member of a qualified family is first employed or the family first experiences an increase in annual income attributable to employment, the PHA must exclude from annual income of a qualified family fifty percent of any increase in income of such family member as a result of employment over income of that family member prior to the beginning of such employment.

(3) *Maximum four year disallowance.* The disallowance of increased income of an individual family member as provided in paragraph (b)(1) or (b)(2) of this section is limited to a lifetime 48 month period. It only applies for a maximum of twelve months for disallowance under paragraph (b)(1) and a maximum of twelve months for disallowance under paragraph (b)(2), during the 48 month period starting from the initial exclusion under paragraph (b)(1) of this section.

(c) *Inapplicability to admission.* The disallowance of increases in income as a result of employment under this section does not apply for purposes of admission to the program (including the determination of income eligibility and income targeting).

(d) *Individual Savings Accounts.* As an alternative to the disallowance of increases in income as a result of employment described in paragraph (b) of this section, a PHA may choose to provide for individual savings accounts for public housing residents who pay an income-based rent, in accordance with a written policy, which must include the following provisions:

(1) The PHA must advise the family that the savings account option is available;

(2) At the option of the family, the PHA must deposit in the savings account the total amount that would have been included in tenant rent payable to the PHA as a result of increased income that is disallowed in accordance with paragraph (b) of this section;

(3) Amounts deposited in a savings account may be withdrawn only for the purpose of:

(i) Purchasing a home;

(ii) Paying education costs of family members;

(iii) Moving out of public or assisted housing; or

(iv) Paying any other expense authorized by the PHA for the purpose of promoting the economic self-sufficiency of residents of public housing;

(4) The PHA must maintain the account in an interest bearing investment and must credit the family with the net interest income, and the PHA may not charge a fee for maintaining the account;

(5) At least annually the PHA must provide the family with a report on the status of the account; and

(6) If the family moves out of public housing, the PHA shall pay the tenant any balance in the account, minus any amounts owed to the PHA

EXHIBIT 6-5: THE EFFECT OF WELFARE BENEFIT REDUCTION

24 CFR 5.615

Public housing program and Section 8 tenant-based assistance program: How welfare benefit reduction affects family income.

(a) Applicability. This section applies to covered families who reside in public housing (part 960 of this title) or receive Section 8 tenant-based assistance (part 982 of this title).

(b) Definitions. The following definitions apply for purposes of this section:

Covered families. Families who receive welfare assistance or other public assistance benefits ("welfare benefits") from a State or other public agency ("welfare agency") under a program for which Federal, State, or local law requires that a member of the family must participate in an economic self-sufficiency program as a condition for such assistance.

Economic self-sufficiency program. See definition at Sec. 5.603.

Imputed welfare income. The amount of annual income not actually received by a family, as a result of a specified welfare benefit reduction, that is nonetheless included in the family's annual income for purposes of determining rent.

Specified welfare benefit reduction.

(1) A reduction of welfare benefits by the welfare agency, in whole or in part, for a family member, as determined by the welfare agency, because of fraud by a family member in connection with the welfare program; or because of welfare agency sanction against a family member for noncompliance with a welfare agency requirement to participate in an economic self-sufficiency program.

(2) "Specified welfare benefit reduction" does not include a reduction or termination of welfare benefits by the welfare agency:

(i) at expiration of a lifetime or other time limit on the payment of welfare benefits;

(ii) because a family member is not able to obtain employment, even though the family member has complied with welfare agency economic self-sufficiency or work activities requirements; or

(iii) because a family member has not complied with other welfare agency requirements.

(c) Imputed welfare income.

(1) A family's annual income includes the amount of imputed welfare income (because of a specified welfare benefits reduction, as specified in notice to the PHA by the welfare agency), plus the total amount of other annual income as determined in accordance with Sec. 5.609.

(2) At the request of the PHA, the welfare agency will inform the PHA in writing of the amount and term of any specified welfare benefit reduction for a family member, and the reason for such reduction, and will also inform the PHA of any subsequent changes in the term or amount of such specified welfare benefit reduction. The PHA will use this information to determine the amount of imputed welfare income for a family.

(3) A family's annual income includes imputed welfare income in family annual income, as determined at the PHA's interim or regular reexamination of family income and composition, during the term of the welfare benefits reduction (as specified in information provided to the PHA by the welfare agency).

(4) The amount of the imputed welfare income is offset by the amount of additional income a family receives that commences after the time the sanction was imposed. When such additional income from other sources is at least equal to the imputed

(5) The PHA may not include imputed welfare income in annual income if the family was not an assisted resident at the time of sanction.

(d) Review of PHA decision.

(1) Public housing. If a public housing tenant claims that the PHA has not correctly calculated the amount of imputed welfare income in accordance with HUD requirements, and if the PHA denies the family's request to modify such amount, the PHA shall give the tenant written notice of such denial, with a brief explanation of the basis for the PHA determination of the amount of imputed welfare income. The PHA notice shall also state that if the tenant does not agree with the PHA determination, the tenant may request a grievance hearing in accordance with part 966, subpart B of this title to review the PHA determination. The tenant is not required to pay an escrow deposit pursuant to Sec. 966.55(e) for the portion of tenant rent attributable to the imputed welfare income in order to obtain a grievance hearing on the PHA determination.

(2) Section 8 participant. A participant in the Section 8 tenant-based assistance program may request an informal hearing, in accordance with Sec. 982.555 of this title, to review the PHA determination of the amount of imputed welfare income that must be included in the family's annual income in accordance with this section. If the family claims that such amount is not correctly calculated in accordance with HUD requirements, and if the PHA denies the family's request to modify such amount, the PHA shall give the family written notice of such denial, with a brief explanation of the basis for the PHA determination

of the amount of imputed welfare income. Such notice shall also state that if the family does not agree with the PHA determination, the family may request an informal hearing on the determination under the PHA hearing procedure.

(e) PHA relation with welfare agency.

(1) The PHA must ask welfare agencies to inform the PHA of any specified welfare benefits reduction for a family member, the reason for such reduction, the term of any such reduction, and any subsequent welfare agency determination affecting the amount or term of a specified welfare benefits reduction. If the welfare agency determines a specified welfare benefits reduction for a family member, and gives the PHA written notice of such reduction, the family's annual incomes shall include the imputed welfare income because of the specified welfare benefits reduction.

(2) The PHA is responsible for determining the amount of imputed welfare income that is included in the family's annual income as a result of a specified welfare benefits reduction as determined by the welfare agency, and specified in the notice by the welfare agency to the PHA. However, the PHA is not responsible for determining whether a reduction of welfare benefits by the welfare agency was correctly determined by the welfare agency in accordance with welfare program requirements and procedures, nor for providing the opportunity for review or hearing on such welfare agency determinations.

(3) Such welfare agency determinations are the responsibility of the welfare agency, and the family may seek appeal of such determinations through the welfare agency's normal due process procedures. The PHA shall be entitled to rely on the welfare agency notice to the PHA of the welfare agency's determination of a specified welfare benefits reduction.

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FAYETTE COUNTY HOUSING AUTHORITY (SECTION 8 PROGRAM)
INCOME AND SUBSIDY DETERMINATIONS
[24 CFR Part 5, Subparts E and F; 24 CFR 982]

INTRODUCTION

A family's income determines eligibility for assistance and is also used to calculate the family's payment and the PHA's subsidy. The Fayette County Housing Authority will use the policies and methods described in this Chapter to ensure that only eligible families receive assistance and that no family pays more or less than its obligation under the regulations. This Chapter describes HUD regulations and PHA policies related to these topics in three parts as follows:

- **Part I: Annual Income.** HUD regulations specify the sources of income to include and exclude to arrive at a family's annual income. These requirements and PHA policies for calculating annual income are found in Part I.
- **Part II: Adjusted Income.** Once annual income has been established HUD regulations require the PHA to subtract from annual income any of five mandatory deductions for which a family qualifies. These requirements and PHA policies for calculating adjusted income are found in Part II.
- **Part III: Calculating Family Share and PHA Subsidy.** This part describes the statutory formula for calculating total tenant payment (TTP), the use of utility allowances, and the methodology for determining PHA subsidy and required family payment.

PART I: ANNUAL INCOME

A. OVERVIEW

The general regulatory definition of **annual income** shown below is from **24 CFR 5.609**.

5.609 Annual income.

(a) Annual income means all amounts, monetary or not, which:

- (1) Go to, or on behalf of, the family head or spouse (even if temporarily absent) or to any other family member; or**
 - (2) Are anticipated to be received from a source outside the family during the 12-month period following admission or annual reexamination effective date; and**
 - (3) Which are not specifically excluded in paragraph [5.609(c)].**
- (4) Annual income also means amounts derived (during the 12-month period) from assets to which any member of the family has access.**

In addition to this general definition, HUD Regulations establish policies for treating specific types of income and assets. The full texts of those portions of the regulations are provided in exhibits at the end of this chapter as follows:

- Annual Income Inclusions (**Exhibit 6-1**)
- Annual Income Exclusions (**Exhibit 6-2**)

- Treatment of Family Assets (**Exhibit 6-3**)
- Earned Income Disallowance for Persons with Disabilities (**Exhibit 6-4**)
- The Effect of Welfare Benefit Reduction (**Exhibit 6-5**)

Sections 6-I.B and 6-I.C discuss general requirements and methods for calculating annual income. The rest of this Section describes how each source of income is treated for the purposes of determining annual income. HUD Regulations present income inclusions and exclusions separately [24 CFR 5.609(b) and 24 CFR 5.609(c)]. In this Plan, however, the discussions of income inclusions and exclusions are integrated by topic (e.g., all policies affecting earned income are discussed together in **Section 6-I.D**). Verification requirements for annual income are discussed in Chapter 7.

B. HOUSEHOLD COMPOSITION AND INCOME

Income received by all family members must be counted unless specifically excluded by the regulations. It is the responsibility of the head of household to report changes in family composition. The rules on which sources of income are counted vary somewhat by family member. The chart below summarizes how family composition affects income determinations.

Summary of Income Included and Excluded by Person	
Live-in aides	Income from all sources is excluded [24 CFR 5.609(c)(5)].
Foster child or foster adult	Income from all sources is excluded [24 CFR 5.609(c)(2)].
Head, spouse, or cohead Other adult family members	All sources of income not specifically excluded by the regulations are included.
Children under 18 years of age	Employment income is excluded [24 CFR 5.609(c)(1)]. All other sources of income, except those specifically excluded by the regulations, are included.
Full-time students 18 years of age or older (not head, spouse, or cohead)	Employment income above \$480/year is excluded [24 CFR 5.609(c)(11)]. All other sources of income, except those specifically excluded by the regulations, are included.

Temporarily Absent Family Members

The income of family members approved to live in the unit will be counted, even if the family member is temporarily absent from the unit [HCV GB, p. 5-18].

Absent Full-Time Students

When someone who has been considered a family member attends school away from home, the person will continue to be considered a family member unless information becomes available to

the PHA indicating that the student has established a separate household or the family declares that the student has established a separate household.

Court-Ordered Absences

If a member of the family is subject to a court order that restricts the member from the home, the PHA will determine whether the person will be considered temporarily or permanently absent. If the court order specifies a permanent restriction or if the court restriction exceeds 180 days, the person will no longer be considered a family member. If the individual intends to return to the unit at the end of the restriction, the individual is subject to the eligibility and screening requirements discussed in Chapter 3 of this plan.

Absences Due to Placement in Foster Care

Children temporarily absent from the home as a result of placement in foster care are considered members of the family [24 CFR 5.403].

If a child has been placed in foster care, the PHA will verify with the appropriate agency whether and when the child is expected to be returned to the home. Unless the agency confirms that the child has been permanently removed from the home, the child will be counted as a family member.

Absences Due to Incarceration

If a family member is expected to be incarcerated for more than 180 consecutive days, the person will not be considered a family member. If the individual intends to return to the unit following incarceration, the individual is subject to the eligibility and screening requirements discussed in Chapter 3 of this Plan. During the absence, the unit must be kept in compliance with the HQS and utility service, and if there are no other adult members in the unit, the voucher will be recaptured.

Family Members Permanently Confined for Medical Reasons

If a family member is confined to a nursing home or hospital on a permanent basis, that person is no longer considered a family member and the income of that person is not counted [HCV GB, p. 5-22].

The PHA will request verification from a responsible medical professional and will use this determination. If the responsible medical professional cannot provide a determination, the person generally will be considered temporarily absent. The family may present evidence that the family member is confined on a permanent basis and request that the person not be considered a family member. While the family member is temporarily absent, the unit must be kept in compliance with the HQS and utility service.

When an individual who has been counted as a family member is determined permanently absent, the family is eligible for the medical expense deduction only if the remaining head, spouse, or cohead qualifies as an elderly person or a person with disabilities.

Joint Custody of Children

In the case of joint custody, only one family may claim a child as a dependent. When two assisted families could conceivably claim the child, the two families must resolve the issue and declare which household will receive the dependent deduction. If the two households are unable

to resolve the issue, the PHA will make the determination on the basis of such factors as who claimed the child as a dependent on the most recent income tax filing and how much time the child spends in each household, school record and who receives income for the child. In case of one assisted parent, the PHA will make the determination on the basis of the factors listed above.

Caretakers for a Child

If neither a parent nor a designated guardian remains in a household receiving HCV assistance, the PHA will take the following actions.

- (1) If a responsible agency has determined that another adult is to be brought into the assisted unit to care for a child for an indefinite period, the designated caretaker will not be considered a family member until a determination of custody or legal guardianship is made.
- (2) If a caretaker has assumed responsibility for a child without the involvement of a responsible agency or formal assignment of custody or legal guardianship, the caretaker will be treated as a visitor for 180 days. After the 180 days has elapsed, the caretaker will be considered a family member unless information is provided that would confirm that the caretaker's role is temporary. In such cases the PHA will extend the caretaker's status as an eligible visitor.
- (3) At any time that custody or guardianship legally has been awarded to a caretaker, the housing choice voucher will be transferred to the caretaker.
- (4) During any period that a caretaker is considered a visitor, the income of the caretaker is not counted in annual income and the caretaker does not qualify the family for any deductions from income.

C. ANTICIPATING ANNUAL INCOME

The PHA is required to count all income "anticipated to be received from a source outside the family during the 12-month period following admission or annual reexamination effective date" [24 CFR 5.609(a)(2)]. Policies related to anticipating annual income are provided below.

Basis of Annual Income Projection

The PHA generally will use current circumstances to determine anticipated income for the coming 12-month period. HUD authorizes the PHA to use other than current circumstances to anticipate income when:

- An imminent change in circumstances is expected [HCV GB, p. 5-17]
- It is not feasible to anticipate a level of income over a 12-month period (e.g., seasonal or cyclic income) [24 CFR 5.609(d)]
- The PHA believes that past income is the best available indicator of expected future income [24 CFR 5.609(d)]

When the PHA cannot readily anticipate income based upon current circumstances (e.g., in the case of seasonal employment, unstable working hours, or suspected fraud), the PHA will review and analyze historical data for patterns of employment, paid benefits, and receipt of other income and use the results of this analysis to establish annual income. Anytime current circumstances are not used to project annual income, a clear rationale for the decision will be documented in the

file. In all such cases the family may present information and documentation to the PHA to show why the historic pattern does not represent the family's anticipated income.

Known Changes in Income

If the PHA verifies an upcoming increase or decrease in income, annual income will be calculated by applying each income amount to the appropriate part of the 12-month period.

Example: An employer reports that a full-time employee who has been receiving \$6/hour will begin to receive \$6.25/hour in the eighth week after the effective date of the reexamination. In such a case the PHA would calculate annual income as follows: $(\$6/\text{hour} \times 40 \text{ hours} \times 7 \text{ weeks}) + (\$6.25 \times 40 \text{ hours} \times 45 \text{ weeks})$.

The family may present information that demonstrates that implementing a change before its effective date would create a hardship for the family. In such cases the PHA will calculate annual income using current circumstances and then require an interim reexamination when the change actually occurs. This requirement will be imposed even if the PHA's Policy in Chapter 10 does not require interim reexaminations for other types of changes.

Using Enterprise Income Verification (EIV) to Project Income

HUD strongly recommends the use of Enterprise Income Verification (EIV). EIV is "the verification of income, before or during a family reexamination, through an independent source that systematically and uniformly maintains income information in computerized form for a large number of individuals" [VG, p. 7].

HUD allows PHAs to use EIV information in conjunction with family-provided documents to anticipate income [EIV].

PHA procedures for anticipating annual income will include the use of EIV methods approved by HUD in conjunction with family-provided documents dated within the last 120 days of the PHA interview date.

The PHA will follow "HUD Guidelines for Projecting Annual Income When Enterprise Income Verification (EIV) Data Is Available" in handling differences between EIV and family-provided income data. The guidelines depend on whether a difference is substantial or not. HUD defines *substantial difference* as a difference of \$200 or more per month.

No Substantial Difference. If EIV information for a particular income source differs from the information provided by a family by less than \$200 per month, the PHA will follow these guidelines:

If the EIV figure is less than the family's figure, the PHA will use the family's information.

If the EIV figure is more than the family's figure, the PHA will use the EIV data unless the family provides documentation of a change in circumstances to explain the discrepancy (e.g., a reduction in work hours). Upon receipt of acceptable family-provided documentation of a change in circumstances, the PHA will use the family-provided information.

Substantial Difference. If EIV information for a particular income source differs from the information provided by a family by \$200 or more per month, the PHA will follow these guidelines:

The PHA will request written third-party verification from the discrepant income source in accordance with **24 CFR 5.236(b)(3)(i)**.

When the PHA cannot readily anticipate income (e.g., in cases of seasonal employment, unstable working hours, or suspected fraud), the PHA will review historical income data for patterns of employment, paid benefits, and receipt of other income.

The PHA will analyze all EIV, third-party, and family-provided data and attempt to resolve the income discrepancy.

The PHA will use the most current verified income data and, if appropriate, historical income data to calculate anticipated annual income.

If the PHA receives information from the EIV that a tenant is working and receiving income and when verified it is discovered that the tenant never worked at this employer, the tenant will be instructed to contact the Social Security Administration to report possible fraud. The PHA will also send a letter to the Social Security Administration.

D. EARNED INCOME

Types of Earned Income Included in Annual Income

Wages and Related Compensation. The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services is included in annual income [**24 CFR 5.609(b)(1)**].

For persons who regularly receive bonuses or commissions, the PHA will verify and then average current amounts received for the previous 12 months. The family may provide, and the PHA will consider, a credible justification for not using this history to anticipate future bonuses or commissions. If a new employee has not yet received any bonuses or commissions, the PHA will count only the amount estimated by the employer.

Some Types of Military Pay. All regular pay, special pay and allowances of a member of the Armed Forces are counted [**24 CFR 5.609(b)(8)**] **except** for the special pay to a family member serving in the Armed Forces who is exposed to hostile fire [**24 CFR 5.609(c)(7)**].

Types of Earned Income Not Counted in Annual Income

Temporary, Nonrecurring, or Sporadic Income [**24 CFR 5.609(c)(9)**]. Sporadic income is income that is not received periodically and cannot be reliably predicted. For example, the income of an individual who works occasionally as a handyman would be considered sporadic if future work could not be anticipated and no historic, stable pattern of income existed. Such income is not counted.

Children's Earnings. Employment income earned by children (including foster children) under the age of 18 years is not included in annual income [**24 CFR 5.609(c)(1)**]. (See **Eligibility Chapter** for a definition of *foster children*.)

Certain Earned Income of Full-Time Students. Earnings in excess of \$480 for each full-time student 18 years old or older (except for the head, spouse, or cohead) are not counted [24 CFR 5.609(c)(11)]. To be considered “full-time,” a student must be considered “full-time” by an educational institution with a degree or certificate program [HCV GB, p. 5-29].

Income of a Live-in Aide. Income earned by a live-in aide, as defined in [24 CFR 5.403], is not included in annual income [24 CFR 5.609(c)(5)]. (See Eligibility Chapter for a full discussion of live-in aides.)

Income Earned under Certain Federal Programs. Income from some federal programs is specifically excluded from consideration as income [24 CFR 5.609(c)(17)], including:

- Payments to volunteers under the Domestic Volunteer Services Act of 1973 (42 U.S.C. 5044(g), 5058)
- Payments received under programs funded in whole or in part under the Job Training Partnership Act (29 U.S.C. 1552(b))
- Awards under the federal work-study program (20 U.S.C. 1087 uu)
- Payments received from programs funded under Title V of the Older Americans Act of 1985 (42 U.S.C. 3056(f))
- Allowances, earnings, and payments to AmeriCorps participants under the National and Community Service Act of 1990 (42 U.S.C. 12637(d))
- Allowances, earnings, and payments to participants in programs funded under the Workforce Investment Act of 1998 (29 U.S.C. 2931)

Resident Service Stipend. Amounts received under a resident service stipend are not included in annual income. A resident service stipend is a modest amount (not to exceed \$200 per individual per month) received by a resident for performing a service for the PHA or owner, on a part-time basis, that enhances the quality of life in the development. Such services may include, but are not limited to, fire patrol, hall monitoring, lawn maintenance, resident initiatives coordination, and serving as a member of the PHA’s Board of Directors. No resident may receive more than one such stipend during the same period of time [24 CFR 5.600(c)(8)(iv)].

State and Local Employment Training Programs. Incremental earnings and benefits to any family member resulting from participation in qualifying state or local employment training programs (including training programs not affiliated with a local government) and training of a family member as resident management staff are excluded from annual income. Amounts excluded by this provision must be received under employment training programs with clearly defined goals and objectives and are excluded only for the period during which the family member participates in the training program [24 CFR 5.609(c)(8)(v)].

The PHA defines *training program* as “a learning process with goals and objectives, generally having a variety of components, and taking place in a series of sessions over a period to time. It is designed to lead to a higher level of proficiency, and it enhances the individual’s ability to obtain employment. It may have performance standards to measure proficiency. Training may include, but is not limited to: (1) classroom training in a specific occupational skill, (2) on-the-job training with wages subsidized by the program, or (3) basic education”

The PHA defines *incremental earnings and benefits* as the difference between (1) the total amount of welfare assistance and earnings of a family member prior to enrollment in a training program and (2) the total amount of welfare assistance and earnings of the family member after enrollment in the program [expired Notice PIH 98-2, pp. 3–4].

In calculating the incremental difference, the PHA will use as the pre-enrollment income the total annualized amount of the family member's welfare assistance and earnings reported on the family's most recently completed HUD-50058.

End of participation in a training program must be reported in accordance with the PHA's interim reporting requirements.

HUD-Funded Training Programs. Amounts received under training programs funded in whole or in part by HUD [24 CFR 5.609(c)(8)(i)] are excluded from annual income. Eligible sources of funding for the training include operating subsidy, Section 8 administrative fees, and modernization, Community Development Block Grant (CDBG), HOME program, and other grant funds received from HUD.

To qualify as a training program, the program must meet the definition of *training program* provided above for state and local employment training programs.

Earned Income Tax Credit. Earned income tax credit (EITC) refund payments received on or after January 1, 1991 (26 U.S.C. 32(j)), are excluded from annual income [24 CFR 5.609(c)(17)]. Although many families receive the EITC annually when they file taxes, an EITC can also be received throughout the year. The prorated share of the annual EITC is included in the employee's payroll check.

Earned Income Disallowance. The earned income disallowance for persons with disabilities is discussed in Section 6-IE below.

E. EARNED INCOME DISALLOWANCE FOR PERSONS WITH DISABILITIES [24 CFR 5.617]

The earned income disallowance (EID) encourages people with disabilities to enter the work force by not including the full value of increases in earned income for a period of time. The full text of 24 CFR 5.617 is included as Exhibit 6-4 at the end of this chapter. Eligibility criteria and limitations on the disallowance are summarized below.

Eligibility

This disallowance applies only to individuals in families already participating in the HCV program (not at initial examination). To qualify, the family must experience an increase in annual income that is the result of one of the following events:

- Employment of a family member who is a person with disabilities and who was previously unemployed for one or more years prior to employment. *Previously unemployed* includes a person who annually has earned not more than the minimum wage applicable to the community multiplied by 500 hours. The applicable minimum wage is the federal minimum wage unless there is a higher state or local minimum wage.
- Increased earnings by a family member who is a person with disabilities and whose earnings increase during participation in an economic self-sufficiency or job-training program. A self-sufficiency program includes a program designed to encourage, assist, train, or facilitate the

economic independence of HUD-assisted families or to provide work to such families [24 CFR 5.603(b)].

- New employment or increased earnings by a family member who is a person with disabilities and who has received benefits or services under Temporary Assistance for Needy Families (TANF) or any other state program funded under Part A of Title IV of the Social Security Act within the past six months. If the benefits are received in the form of monthly maintenance, there is no minimum amount. If the benefits or services are received in a form other than monthly maintenance, such as one-time payments, wage subsidies, or transportation assistance, the total amount received over the six-month period must be at least \$500.

Calculation of the Disallowance

Calculation of the earned income disallowance for an eligible member of a qualified family begins with a comparison of the member's current income with his or her "prior income."

The PHA defines *prior income*, or *prequalifying income*, as the family member's last certified income prior to qualifying for the EID.

The family member's prior, or prequalifying, income remains constant throughout the period that he or she is receiving the EID.

Initial 12-Month Exclusion. During the initial 12-month exclusion period, the full amount (100 percent) of any increase in income attributable to new employment or increased earnings is excluded. The 12 months are cumulative and need not be consecutive.

The initial EID exclusion period will begin on the first of the month following the date an eligible member of a qualified family is first employed or first experiences an increase in earnings.

Second 12-Month Exclusion and Phase-In. During the second 12-month exclusion period, the exclusion is reduced to half (50 percent) of any increase in income attributable to employment or increased earnings. The 12 months are cumulative and need not be consecutive.

Lifetime Limitation. The EID has a four-year (48-month) lifetime maximum. The four-year eligibility period begins at the same time that the initial exclusion period begins and ends 48 months later. The one-time eligibility for the EID applies even if the eligible individual begins to receive assistance from another housing agency, if the individual moves between public housing and Section 8 assistance, or if there are breaks in assistance.

During the 48-month eligibility period, the PHA will schedule and conduct an interim reexamination each time there is a change in the family member's annual income that affects or is affected by the EID (e.g., when the family member's income falls to a level at or below his/her prequalifying income, when one of the exclusion periods ends, and at the end of the lifetime maximum eligibility period).

F. BUSINESS INCOME [24 CFR 5.609(b)(2)]

Annual income includes "the net income from the operation of a business or profession. Expenditures for business expansion or amortization of capital indebtedness shall not be used as

deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or assets from the operation of a business or profession will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested in the operation by the family” [24 CFR 5.609(b)(2)].

Business Expenses

Net income is “gross income less business expense” [HCV GB, p. 5-19].

To determine business expenses that may be deducted from gross income, the PHA will use current applicable Internal Revenue Service (IRS) rules for determining allowable business expenses [see **IRS Publication 535**], unless a topic is addressed by HUD regulations or guidance as described below.

Business Expansion

HUD regulations do not permit the PHA to deduct from gross income expenses for business expansion.

Business expansion is defined as any capital expenditures made to add new business activities, to expand current facilities, or to operate the business in additional locations. For example, purchase of a street sweeper by a construction business for the purpose of adding street cleaning to the services offered by the business would be considered a business expansion. Similarly, the purchase of a property by a hair care business to open at a second location would be considered a business expansion.

Capital Indebtedness

HUD regulations do not permit the PHA to deduct from gross income the amortization of capital indebtedness.

Capital indebtedness is defined as the principal portion of the payment on a capital asset such as land, buildings, and machinery. This means the PHA will allow as a business expense interest, but not principal, paid on capital indebtedness.

Negative Business Income

If the net income from a business is negative, no business income will be included in annual income; a negative amount will not be used to offset other family income.

Withdrawal of Cash or Assets from a Business

HUD regulations require the PHA to include in annual income the withdrawal of cash or assets from the operation of a business or profession unless the withdrawal reimburses a family member for cash or assets invested in the business by the family.

Acceptable investments in a business include cash loans and contributions of assets or equipment. For example, if a member of an assisted family provided an up-front loan of \$2,000 to help a business get started, the PHA will not count as income any withdrawals from the business up to the amount of this loan until the loan has been repaid. Investments do not include the value of labor contributed to the business without compensation.

Co-owned Businesses

If a business is co-owned with someone outside the family, the family must document the share of the business it owns. If the family's share of the income is lower than its share of ownership, the family must document the reasons for the difference.

G. ASSETS [24 CFR 5.609(b)(3) and 24 CFR 5.603(b)]

Overview

There is no asset limitation for participation in the HCV program. However, HUD requires that the PHA include in annual income the "interest, dividends, and other net income of any kind from real or personal property" [24 CFR 5.609(b)(3)]. This section discusses how the income from various types of assets is determined. For most types of assets, the PHA must determine the value of the asset in order to compute income from the asset. Therefore, for each asset type, this section discusses:

- How the value of the asset will be determined
- How income from the asset will be calculated

Exhibit 6-1 provides the regulatory requirements for calculating income from assets [24 CFR 5.609(b)(3)], and **Exhibit 6-4** provides the regulatory definition of *net family assets* as well as a chart from the *HCV Guidebook* that summarizes asset inclusions and exclusions. This Section begins with a discussion of general policies related to assets and then provides HUD rules and PHA policies related to each type of asset.

General Policies

Income from Assets

The PHA generally will use current circumstances to determine both the value of an asset and the anticipated income from the asset. As is true for all sources of income, HUD authorizes the PHA to use other than current circumstances to anticipate income when (1) an imminent change in circumstances is expected (2) it is not feasible to anticipate a level of income over 12 months or (3) the PHA believes that past income is the best indicator of anticipated income. For example, if a family member owns real property that typically receives rental income but the property is currently vacant, the PHA can take into consideration past rental income along with the prospects of obtaining a new tenant.

Anytime current circumstances are not used to determine asset income, a clear rationale for the decision will be documented in the file. In such cases the family may present information and documentation to the PHA to show why the asset income determination does not represent the family's anticipated asset income.

Valuing Assets

The calculation of asset income sometimes requires the PHA to make a distinction between an asset's market value and its cash value.

- The market value of an asset is its worth (e.g., the amount a buyer would pay for real estate or the balance in an investment account).
- The cash value of an asset is its market value less all reasonable amounts that would be incurred when converting the asset to cash. Examples of acceptable costs include penalties

for premature withdrawal, broker and legal fees, and settlement costs incurred in real estate transactions [HCV GB, p. 5-28].

Lump-Sum Receipts

Payments that are received in a single lump sum, such as inheritances, capital gains, lottery winnings, insurance settlements, and proceeds from the sale of property, are generally considered assets, not income. However, such lump-sum receipts are counted as assets only if they are retained by a family in a form recognizable as an asset (e.g., deposited in a savings or checking account) [RHIP FAQs]. (For a discussion of lump-sum payments that represent the delayed start of a periodic payment, most of which are counted as income, see Sections 6-I.H and 6-I.I.)

Imputing Income from Assets [24 CFR 5.609(b)(3)]

When net family assets are \$5,000 or less, the PHA will include in annual income the actual income anticipated to be derived from the assets. When the family has net family assets in excess of \$5,000, the PHA will include in annual income the greater of (1) the actual income derived from the assets or (2) the imputed income. Imputed income from assets is calculated by multiplying the total cash value of all family assets by the current HUD-established passbook savings rate.

Determining Actual Anticipated Income from Assets

It may or may not be necessary for the PHA to use the value of an asset to compute the actual anticipated income from the asset. When the value is required to compute the anticipated income from an asset, the market value of the asset is used. For example, if the asset is a property for which a family receives rental income, the anticipated income is determined by annualizing the actual monthly rental amount received for the property; it is not based on the property's market value. However, if the asset is a savings account, the anticipated income is determined by multiplying the market value of the account by the interest rate on the account.

Withdrawal of Cash or Liquidation of Investments

Any withdrawal of cash or assets from an investment will be included in income except to the extent that the withdrawal reimburses amounts invested by the family. For example, when a family member retires, the amount received by the family from a retirement plan is not counted as income until the family has received payments equal to the amount the family member deposited into the retirement fund.

Jointly Owned Assets

The regulation at 24 CFR 5.609(a)(4) specifies that annual income includes "amounts derived (during the 12-month period) from assets to which any member of the family has access."

If an asset is owned by more than one person and any family member has unrestricted access to the asset, the PHA will count the full value of the asset. A family member has unrestricted access to an asset when he or she can legally dispose of the asset without the consent of any of the other owners.

If an asset is owned by more than one person, including a family member, but the family member does not have unrestricted access to the asset, the PHA will prorate the asset according to the percentage of ownership. If no percentage is specified or provided for by state or local law, the PHA will prorate the asset evenly among all owners.

Assets Disposed Of for Less than Fair Market Value [24 CFR 5.603(b)]

HUD regulations require the PHA to count as a current asset any business or family asset that was disposed of for less than fair market value during the two years prior to the effective date of the examination/reexamination, except as noted below.

Minimum Threshold

The *HVC Guidebook* permits the PHA to set a threshold below which assets disposed of for less than fair market value will not be counted [HCV GB, p. 5-27].

The PHA will not include the value of assets disposed of for less than fair market value unless the cumulative fair market value of all assets disposed of during the past two years exceeds the gross amount received for the assets by more than \$1,000.

When the two-year period expires, the income assigned to the disposed asset(s) also expires. If the two-year period ends between annual recertifications, the family may request an interim recertification to eliminate consideration of the asset(s).

Assets placed by the family in nonrevocable trusts are considered assets disposed of for less than fair market value except when the assets placed in trust were received through settlements or judgments.

Separation or Divorce

The regulation also specifies that assets are not considered disposed of for less than fair market value if they are disposed of as part of a separation or divorce settlement and the applicant or tenant receives important consideration not measurable in dollar terms.

All assets disposed of as part of a separation or divorce settlement will be considered assets for which important consideration not measurable in monetary terms has been received. In order to qualify for this exemption, a family member must be subject to a formal separation or divorce settlement agreement established through arbitration, mediation, or court order.

Foreclosure or Bankruptcy

Assets are not considered disposed of for less than fair market value when the disposition is the result of a foreclosure or bankruptcy sale.

Family Declaration

Families must sign a declaration form at initial certification and each annual recertification identifying all assets that have been disposed of for less than fair market value or declaring that no assets have been disposed of for less than fair market value. The PHA may verify the value of the assets disposed of if other information available to the PHA does not appear to agree with the information reported by the family.

Types of Assets

Checking and Savings Accounts

For regular checking accounts and savings accounts, *cash value* has the same meaning as *market value*. If a checking account does not bear interest, the anticipated income from the account is zero.

In determining the value of a checking account, the PHA will use the average monthly balance for the last six months. If the average monthly balance is not available for the last six months, the PHA will use the current balance.

In determining the value of a savings account, the PHA will use the current balance.

In determining the anticipated income from an interest-bearing checking or savings account, the PHA will multiply the value of the account by the current rate of interest paid on the account.

Investment Accounts Such as Stocks, Bonds, Saving Certificates, and Money Market Funds

Interest or dividends earned by investment accounts are counted as actual income from assets even when the earnings are reinvested. The cash value of such an asset is determined by deducting from the market value any broker fees, penalties for early withdrawal, or other costs of converting the asset to cash.

In determining the market value of an investment account, the PHA will use the value of the account on the most recent investment report.

How anticipated income from an investment account will be calculated depends on whether the rate of return is known. For assets that are held in an investment account with a known rate of return (e.g., savings certificates), asset income will be calculated based on that known rate (market value multiplied by rate of earnings). When the anticipated rate of return is not known (e.g., stocks), the PHA will calculate asset income based on the earnings for the most recent reporting period.

Equity in Real Property or Other Capital Investments

Equity (cash value) in a property or other capital asset is the estimated current market value of the asset less the unpaid balance on all loans secured by the asset and reasonable costs (such as broker fees) that would be incurred in selling the asset [HCV GB, p. 5-25].

Equity in real property and other capital investments is considered in the calculation of asset income except for the following types of assets:

- Equity accounts in HUD homeownership programs [24 CFR 5.603(b)]
- The value of a home currently being purchased with assistance under the HCV program Homeownership Option for the first 10 years after the purchase date of the home [24 CFR 5.603(b)]
- Equity in owner-occupied cooperatives and manufactured homes in which the family lives [HCV GB, p. 5-25]
- Equity in real property when a family member's main occupation is real estate [HCV GB, p. 5-25]. This real estate is considered a business asset, and income related to this asset will be calculated as described in Section 6-I.F.
- Interests in Indian Trust lands [24 CFR 5.603(b)]
- Real property and capital assets that are part of an active business or farming operation [HCV GB, p. 5-25]

A family may have real property as an asset in two ways: (1) owning the property itself and (2) holding a mortgage or deed of trust on the property. In the case of a property owned by a family

member, the anticipated asset income generally will be in the form of rent or other payment for the use of the property. If the property generates no income, actual anticipated income from the asset will be zero.

In the case of a mortgage or deed of trust held by a family member, the outstanding balance (unpaid principal) is the cash value of the asset. The interest portion only of payments made to the family in accordance with the terms of the mortgage or deed of trust is counted as anticipated asset income.

In the case of capital investments owned jointly with others not living in a family's unit, a prorated share of the property's cash value will be counted as an asset unless the PHA determines that the family receives no income from the property and is unable to sell or otherwise convert the asset to cash.

Trusts

A *trust* is a legal arrangement generally regulated by state law in which one party (the creator or grantor) transfers property to a second party (the trustee) who holds the property for the benefit of one or more third parties (the beneficiaries).

Revocable Trusts

If any member of a family has the right to withdraw the funds in a trust, the value of the trust is considered an asset [HCV GB, p. 5-25]. Any income earned as a result of investment of trust funds is counted as actual asset income, whether the income is paid to the family or deposited in the trust.

Nonrevocable Trusts

In cases where a trust is not revocable by, or under the control of, any member of a family, the value of the trust fund is not considered an asset. However, any income distributed to the family from such a trust is counted as a periodic payment or a lump-sum receipt, as appropriate [24 CFR 5.603(b)]. (Periodic payments are covered in Section 6-I.H. Lump-sum receipts are discussed earlier in this section.)

Retirement Accounts

Company Retirement/Pension Accounts

In order to correctly include or exclude as an asset any amount held in a company retirement or pension account by an employed person, the PHA must know whether the money is accessible before retirement [HCV GB, p. 5-26].

While a family member is employed, only the amount the family member can withdraw without retiring or terminating employment is counted as an asset [HCV GB, p. 5-26].

After a family member retires or terminates employment, any amount distributed to the family member is counted as a periodic payment or a lump-sum receipt, as appropriate [HCV GB, p. 5-26], except to the extent that it represents funds invested in the account by the family member. (For more on periodic payments, see Section 6-I.H.) The balance in the account is counted as an asset only if it remains accessible to the family member.

IRA, Keogh, and Similar Retirement Savings Accounts

IRA, Keogh, and similar retirement savings accounts are counted as assets even though early withdrawal would result in a penalty [HCV GB, p. 5-25].

Personal Property

Personal property held as an investment, such as gems, jewelry, coin collections, antique cars, etc., is considered an asset [HCV GB, p. 5-25].

In determining the value of personal property held as an investment, the PHA will use the family's estimate of the value. However, the PHA also may obtain an appraisal if appropriate to confirm the value of the asset. The family must cooperate with the appraiser but cannot be charged any costs related to the appraisal.

Generally, personal property held as an investment generates no income until it is disposed of. If regular income is generated (e.g., income from renting the personal property), the amount that is expected to be earned in the coming year is counted as actual income from the asset.

Necessary items of personal property are not considered assets [24 CFR 5.603(b)].

Necessary personal property consists of items such as clothing, furniture, household furnishings, jewelry that is not held as an investment, and vehicles, including those specially equipped for persons with disabilities.

Life Insurance

The cash value of a life insurance policy available to a family member before death, such as a whole life or universal life policy, is included in the calculation of the value of the family's assets [HCV GB 5-25]. The cash value is the surrender value. If such a policy earns dividends or interest that the family could elect to receive, the anticipated amount of dividends or interest is counted as income from the asset whether or not the family actually receives it.

H. PERIODIC PAYMENTS

Periodic payments are forms of income received on a regular basis. HUD Regulations specify periodic payments that are and are not included in annual income.

Periodic Payments Included in Annual Income

- Periodic payments from sources such as social security, unemployment and welfare assistance, annuities, insurance policies, retirement funds, and pensions. However, periodic payments from retirement accounts, annuities, and similar forms of investments are counted only after they exceed the amount contributed by the family [24 CFR 5.609(b)(4) and (b)(3)].
- Disability or death benefits and lottery receipts paid periodically, rather than in a single lump sum [24 CFR 5.609(b)(4) and HCV, p. 5-14]

Lump-Sum Payments for the Delayed Start of a Periodic Payment

Most lump sums received as a result of delays in processing periodic payments, such as unemployment or welfare assistance, are counted as income. However, lump-sum receipts for the delayed start of periodic social security or supplemental security income (SSI) payments are not counted as income [CFR 5.609(b)(4)].

Periodic Payments Excluded from Annual Income

- Payments received for the care of foster children or foster adults (usually persons with disabilities, unrelated to the assisted family, who are unable to live alone) [24 CFR 5.609(c)(2)]

The PHA will exclude payments for the care of foster children and foster adults only if the care is provided through an official arrangement with a local welfare agency [HCV GB, p. 5-18].

- Amounts paid by a state agency to a family with a member who has a developmental disability and is living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home [24 CFR 5.609(c)(16)]
- Amounts received under the Low-Income Home Energy Assistance Program (42 U.S.C. 1626(c)) [24 CFR 5.609(c)(17)]
- Amounts received under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858q) [24 CFR 5.609(c)(17)]
- Earned Income Tax Credit (EITC) refund payments (26 U.S.C. 32(j)) [24 CFR 5.609(c)(17)]. *Note:* EITC may be paid periodically if the family elects to receive the amount due as part of payroll payments from an employer.
- Lump sums received as a result of delays in processing Social Security and SSI payments (see Section 6-I.J.) [24 CFR 5.609(b)(4)].

I. PAYMENTS IN LIEU OF EARNINGS

Payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation, and severance pay, are counted as income [24 CFR 5.609(b)(5)] if they are received either in the form of periodic payments or in the form of a lump-sum amount or prospective monthly amounts for the delayed start of a periodic payment. If they are received in a one-time lump sum (as a settlement, for instance), they are treated as lump-sum receipts [24 CFR 5.609(c)(3)]. (See also the discussion of periodic payments in Section 6-I.H and the discussion of lump-sum receipts in Section 6-I.G.)

J. WELFARE ASSISTANCE

Overview

Welfare assistance is counted in annual income. Welfare assistance includes Temporary Assistance for Needy Families (TANF) and any payments to individuals or families based on need that are made under programs funded separately or jointly by federal, state, or local governments [24 CFR 5.603(b)].

Sanctions Resulting in the Reduction of Welfare Benefits [24 CFR 5.615]

The PHA must make a special calculation of annual income when the welfare agency imposes certain sanctions on certain families. The full text of the regulation at 24 CFR 5.615 is provided as Exhibit 6-5. The requirements are summarized below. This rule applies only if a family was receiving HCV assistance at the time the sanction was imposed.

Covered Families

The families covered by **24 CFR 5.615** are those “who receive welfare assistance or other public assistance benefits (‘welfare benefits’) from a State or other public agency (‘welfare agency’) under a program for which Federal, State or local law requires that a member of the family must participate in an economic self-sufficiency program as a condition for such assistance” [**24 CFR 5.615(b)**]

Imputed Income

When a welfare agency imposes a sanction that reduces a family’s welfare income because the family commits fraud or fails to comply with the agency’s economic self-sufficiency program or work activities requirement, the PHA must include in annual income “imputed” welfare income. The PHA must request that the welfare agency inform the PHA when the benefits of an HCV participant family are reduced. The imputed income is the amount the family would have received if the family had not been sanctioned.

This requirement does not apply to reductions in welfare benefits: (1) at the expiration of the lifetime or other time limit on the payment of welfare benefits, (2) if a family member is unable to find employment even though the family member has complied with the welfare agency economic self-sufficiency or work activities requirements, or (3) because a family member has not complied with other welfare agency requirements [**24 CFR 5.615(b)(2)**].

Offsets

The amount of the imputed income is offset by the amount of additional income the family begins to receive after the sanction is imposed. When the additional income equals or exceeds the imputed welfare income, the imputed income is reduced to zero [**24 CFR 5.615(c)(4)**].

K. PERIODIC AND DETERMINABLE ALLOWANCES [24 CFR 5.609(b)(7)**]**

Annual income includes periodic and determinable allowances, such as alimony and child support payments, and regular contributions or gifts received from organizations or from persons not residing with an assisted family.

Alimony and Child Support

The PHA must count alimony or child support amounts awarded as part of a divorce or separation agreement.

The PHA will count court-awarded amounts for alimony and child support unless the PHA verifies that (1) the payments are not being made and (2) the family has made reasonable efforts to collect amounts due, including filing with courts or agencies responsible for enforcing payments [**HCV GB, pp. 5-23 and 5-47**].

Families who do not have court-awarded alimony and child support awards are not required to seek a court award and are not required to take independent legal action to obtain collection.

Regular Contributions or Gifts

The PHA must count as income regular monetary and nonmonetary contributions or gifts from persons not residing with an assisted family [**24 CFR 5.609(b)(7)**]. Temporary, nonrecurring, or sporadic income and gifts are not counted [**24 CFR 5.609(c)(9)**].

Examples of regular contributions include: (1) regular payment of a family's bills (e.g., utilities, telephone, rent, credit cards, and car payments), (2) cash or other liquid assets provided to any family member on a regular basis, and (3) "in-kind" contributions such as groceries and clothing provided to a family on a regular basis.

Nonmonetary contributions will be valued at the cost of purchasing the items, as determined by the PHA. For contributions that may vary from month to month (e.g., utility payments), the PHA will include an average amount based upon past history.

L. ADDITIONAL EXCLUSIONS FROM ANNUAL INCOME

Other exclusions contained in **24 CFR 5.609(c)** that have not been discussed earlier in this chapter include the following:

- Reimbursement of medical expenses [24 CFR 5.609(c)(4)]
- The full amount of student financial assistance paid directly to the student or to the educational institution [24 CFR 5.609(c)(6)]
- Amounts received by participants in other publicly assisted programs which are specifically for or in reimbursement of out-of-pocket expenses incurred and which are made solely to allow participation in a specific program [24 CFR 5.609(c)(8)(iii)]
- Amounts received by a person with a disability that are disregarded for a limited time for purposes of Supplemental Security Income eligibility and benefits because they are set aside for use under a Plan to Attain Self-Sufficiency (PASS) [(24 CFR 5.609(c)(8)(ii)]
- Reparation payments paid by a foreign government pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era [24 CFR 5.609(c)(10)]
- Adoption assistance payments in excess of \$480 per adopted child [24 CFR 5.609(c)(12)]
- Refunds or rebates on property taxes paid on the dwelling unit [24 CFR 5.609(c)(15)]
- Amounts paid by a state agency to a family with a member who has a developmental disability and is living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home [24 CFR 5.609(c)(16)]
- Amounts specifically excluded by any other federal statute [24 CFR 5.609(c)(17)]. HUD publishes an updated list of these exclusions periodically. It includes:
 - (a) The value of the allotment provided to an eligible household under the Food Stamp Act of 1977 (7 U.S.C. 2017 (b))
 - (b) Payments to Volunteers under the Domestic Volunteer Services Act of 1973 (42 U.S.C. 5044(g), 5058)
 - (c) Payments received under the Alaska Native Claims Settlement Act (43 U.S.C. 1626(c))
 - (d) Income derived from certain submarginal land of the United States that is held in trust for certain Indian tribes (25 U.S.C. 459e)
 - (e) Payments or allowances made under the Department of Health and Human Services' Low-Income Home Energy Assistance Program (42 U.S.C. 8624(f))

- (f) Payments received under programs funded in whole or in part under the Job Training Partnership Act (**29 U.S.C. 1552(b)**) (Effective July 1, 2000, references to Job Training Partnership Act shall be deemed to refer to the corresponding provision of the Workforce Investment Act of 1998 (**29 U.S.C. 2931**).)
- (g) Income derived from the disposition of funds to the Grand River Band of Ottawa Indians (**Pub. L. 94-540, 90 Stat. 2503-04**)
- (h) The first \$2,000 of per capita shares received from judgment funds awarded by the Indian Claims Commission or the U. S. Claims Court, the interests of individual Indians in trust or restricted lands, including the first \$2,000 per year of income received by individual Indians from funds derived from interests held in such trust or restricted lands (**25 U.S.C. 1407-1408**)
- (i) Amounts of scholarships funded under title IV of the Higher Education Act of 1965, including awards under the federal work-study program or under the Bureau of Indian Affairs student assistance programs (**20 U.S.C. 1087uu**)
- (j) Payments received from programs funded under Title V of the Older Americans Act of 1985 (**42 U.S.C. 3056(f)**)
- (k) Payments received on or after January 1, 1989, from the Agent Orange Settlement Fund or any other fund established pursuant to the settlement in *In Re Agent-product liability litigation*, M.D.L. No. 381 (**E.D.N.Y.**)
- (l) Payments received under the Maine Indian Claims Settlement Act of 1980 (**25 U.S.C. 1721**)
- (m) The value of any child care provided or arranged (or any amount received as payment for such care or reimbursement for costs incurred for such care) under the Child Care and Development Block Grant Act of 1990 (**42 U.S.C. 9858q**)
- (n) Earned income tax credit (EITC) refund payments received on or after January 1, 1991 (**26 U.S.C. 32(j)**)
- (o) Payments by the Indian Claims Commission to the Confederated Tribes and Bands of Yakima Indian Nation or the Apache Tribe of Mescalero Reservation (**Pub. L. 95-433**)
- (p) Allowances, earnings and payments to AmeriCorps participants under the National and Community Service Act of 1990 (**42 U.S.C. 12637(d)**)
- (q) Any allowance paid under the provisions of 38 U.S.C. 1805 to a child suffering from spina bifida who is the child of a Vietnam veteran (**38 U.S.C. 1805**)
- (r) Any amount of crime victim compensation (under the Victims of Crime Act) received through crime victim assistance (or payment or reimbursement of the cost of such assistance) as determined under the Victims of Crime Act because of the commission of a crime against the applicant under the Victims of Crime Act (**42 U.S.C. 10602**)
- (s) Allowances, earnings and payments to individuals participating in programs under the Workforce Investment Act of 1998 (**29 U.S.C. 2931**)

PART II: ADJUSTED INCOME

A. INTRODUCTION

Overview

HUD regulations require PHAs to deduct from annual income any of five mandatory deductions for which a family qualifies. The resulting amount is the family's adjusted income. Mandatory deductions are found in **24 CFR 5.611**.

5.611(a) Mandatory deductions. In determining adjusted income, the responsible entity [PHA] must deduct the following amounts from annual income:

- (1) \$480 for each dependent;**
- (2) \$400 for any elderly family or disabled family;**
- (3) The sum of the following, to the extent the sum exceeds three percent of annual income:**
 - (i) Unreimbursed medical expenses of any elderly family or disabled family;**
 - (ii) Unreimbursed reasonable attendant care and auxiliary apparatus expenses for each member of the family who is a person with disabilities, to the extent necessary to enable any member of the family (including the member who is a person with disabilities) to be employed. This deduction may not exceed the earned income received by family members who are 18 years of age or older and who are able to work because of such attendant care or auxiliary apparatus; and**
- (4) Any reasonable child care expenses necessary to enable a member of the family to be employed or to further his or her education.**

This part covers policies related to these mandatory deductions. Verification requirements related to these deductions are found in **Chapter 7**.

Anticipating Expenses

Generally, the PHA will use current circumstances to anticipate expenses. When possible, for costs that are expected to fluctuate during the year (e.g., child care during school and nonschool periods and cyclical medical expenses), the PHA will estimate costs based on historic data and known future costs.

If a family has an accumulated debt for medical or disability assistance expenses, the PHA will include as an eligible expense the portion of the debt that the family expects to pay during the period for which the income determination is being made. However, amounts previously deducted will not be allowed even if the amounts were not paid as expected in a preceding period. The PHA may require the family to provide documentation of payments made in the preceding year.

B. DEPENDENT DEDUCTION

A deduction of \$480 is taken for each dependent [**24 CFR 5.611(a)(1)**]. *Dependent* is defined as any family member other than the head, spouse, or cohead who is under the age of 18 or who is 18 or older and is a person with disabilities or a full-time student. Foster children, foster adults, and live-in aides are never considered dependents [**24 CFR 5.603(b)**].

C. ELDERLY OR DISABLED FAMILY DEDUCTION

A single deduction of \$400 is taken for any elderly or disabled family [24 CFR 5.611(a)(2)]. An *elderly family* is a family whose head, spouse, cohead, or sole member is 62 years of age or older, and a *disabled family* is a family whose head, spouse, cohead, or sole member is a person with disabilities [24 CFR 5.403].

D. MEDICAL EXPENSES DEDUCTION [24 CFR 5.611(a)(3)(i)]

Unreimbursed medical expenses may be deducted to the extent that, in combination with any disability assistance expenses, they exceed three percent of annual income.

The medical expense deduction is permitted only for families in which the head, spouse, or cohead is at least 62 or is a person with disabilities. If a family is eligible for a medical expense deduction, the medical expenses of all family members are counted [VG, p. 28].

Definition of *Medical Expenses*

HUD regulations define *medical expenses* at 24 CFR 5.603(b) to mean “medical expenses, including medical insurance premiums, that are anticipated during the period for which annual income is computed, and that are not covered by insurance.”

The most current IRS Publication 502, *Medical and Dental Expenses*, will be used to determine the costs that qualify as medical expenses.

Summary of Allowable Medical Expenses from IRS Publication 502	
Services of medical professionals	Substance abuse treatment programs
Surgery and medical procedures that are necessary, legal, noncosmetic	Psychiatric treatment
Services of medical facilities	Ambulance services and some costs of transportation related to medical expenses
Hospitalization, long-term care, and in-home nursing services	The cost and care of necessary equipment related to a medical condition (e.g., eyeglasses/lenses, hearing aids, crutches, and artificial teeth)
Prescription medicines and insulin, but <u>not</u> nonprescription medicines even if recommended by a doctor	Cost and continuing care of necessary service animals
Improvements to housing directly related to medical needs (e.g., ramps for a wheel chair, handrails)	Medical insurance premiums or the cost of a health maintenance organization (HMO)

Note: This chart provides a summary of eligible medical expenses only. Detailed information is provided in IRS Publication 502. Medical expenses are considered only to the extent they are not reimbursed by insurance or some other source.

Families That Qualify for Both Medical and Disability Assistance Expenses

This policy applies only to families in which the head, spouse, or cohead is 62 or older or is a person with disabilities.

When expenses anticipated by a family could be defined as either medical or disability assistance expenses, the PHA will consider them medical expenses unless it is clear that the expenses are incurred exclusively to enable a person with disabilities to work.

E. DISABILITY ASSISTANCE EXPENSES DEDUCTION [24 CFR 5.603(b) and 24 CFR 5.611(a)(3)(ii)]

Reasonable expenses for attendant care and auxiliary apparatus for a disabled family member may be deducted if they: (1) are necessary to enable a family member 18 years or older to work, (2) are not paid to a family member or reimbursed by an outside source, (3) in combination with any medical expenses, exceed three percent of annual income, and (4) do not exceed the earned income received by the family member who is enabled to work.

Earned Income Limit on the Disability Assistance Expense Deduction

A family can qualify for the disability assistance expense deduction only if at least one family member (who may be the person with disabilities) is enabled to work [24 CFR 5.603(b)].

The disability expense deduction is capped by the amount of “earned income received by family members who are 18 years of age or older and who are able to work” because of the expense [24 CFR 5.611(a)(3)(ii)]. The earned income used for this purpose is the amount verified before any earned income disallowances or income exclusions are applied.

The family must identify the family members enabled to work as a result of the disability assistance expenses. In evaluating the family’s request, the PHA will consider factors such as how the work schedule of the relevant family members relates to the hours of care provided, the time required for transportation, the relationship of the family members to the person with disabilities, and any special needs of the person with disabilities that might determine which family members are enabled to work.

When the PHA determines that the disability assistance expenses enable more than one family member to work, the expenses will be capped by the sum of the family members’ incomes.

Eligible Disability Expenses

Examples of auxiliary apparatus are provided in the *HCV Guidebook* as follows: “Auxiliary apparatus are items such as wheelchairs, ramps, adaptations to vehicles, or special equipment to enable a blind person to read or type, but only if these items are directly related to permitting the disabled person or other family member to work” [HCV GB, p. 5-30].

HUD advises PHAs to further define and describe auxiliary apparatus [VG, p. 30].

Eligible Auxiliary Apparatus

Expenses incurred for maintaining or repairing an auxiliary apparatus are eligible. In the case of an apparatus that is specially adapted to accommodate a person with disabilities (e.g., a vehicle or computer), the cost to maintain the special adaptations (but not maintenance of the apparatus itself) is an eligible expense. The cost of service animals trained to give assistance to persons with disabilities, including the cost of acquiring the animal, veterinary care, food, grooming, and other continuing costs of care, will be included.

Eligible Attendant Care

The family determines the type of attendant care that is appropriate for the person with disabilities.

Attendant care includes, but is not limited to, reasonable costs for home medical care, nursing services, in-home or center-based care services, interpreters for persons with hearing impairments, and readers for persons with visual disabilities.

Attendant care expenses will be included for the period that the person enabled to work is employed plus reasonable transportation time. The cost of general housekeeping and personal services is not an eligible attendant care expense. However, if the person enabled to work is the person with disabilities, personal services necessary to enable the person with disabilities to work are eligible.

If the care attendant also provides other services to the family, the PHA will prorate the cost and allow only that portion of the expenses attributable to attendant care that enables a family member to work. For example, if the care provider also cares for a child who is not the person with disabilities, the cost of care must be prorated. Unless otherwise specified by the care provider, the calculation will be based upon the number of hours spent in each activity and/or the number of persons under care.

Payments to Family Members

No disability assistance expenses may be deducted for payments to a member of an assisted family [24 CFR 5.603(b)]. However, expenses paid to a relative who is not a member of the assisted family may be deducted if they are not reimbursed by an outside source.

Necessary and Reasonable Expenses

The family determines the type of care or auxiliary apparatus to be provided and must describe how the expenses enable a family member to work. The family must certify that the disability assistance expenses are necessary and are not paid or reimbursed by any other source.

The PHA determines the reasonableness of the expenses based on typical costs of care or apparatus in the locality. To establish typical costs, the PHA will collect information from organizations that provide services and support to persons with disabilities. A family may present, and the PHA will consider, the family's justification for costs that exceed typical costs in the area.

Families That Qualify for Both Medical and Disability Assistance Expenses

This policy applies only to families in which the head or spouse is 62 or older or is a person with disabilities.

When expenses anticipated by a family could be defined as either medical or disability assistance expenses, the PHA will consider them medical expenses unless it is clear that the expenses are incurred exclusively to enable a person with disabilities to work.

F. CHILD CARE EXPENSE DEDUCTION

HUD defines *child care expenses* at **24 CFR 5.603(b)** as “amounts anticipated to be paid by the family for the care of children under 13 years of age during the period for which annual income is computed, but only where such care is necessary to enable a family member to actively seek employment, be gainfully employed, or to further his or her education and only to the extent such amounts are not reimbursed. The amount deducted shall reflect reasonable charges for child care. In the case of child care necessary to permit employment, the amount deducted shall not exceed the amount of employment income that is included in annual income.”

Clarifying the Meaning of *Child* for This Deduction

Child care expenses do not include child support payments made to another on behalf of a minor who is not living in an assisted family’s household [VG, p. 26].

For the purpose of child care expenses, the PHA defines **child** to include any foster children under the age of 13 living in an assisted family’s household [HCV GV, p.5-29].

Qualifying for the Deduction

Determining Who Is Enabled to Pursue an Eligible Activity

The family must identify the family member(s) enabled to pursue an eligible activity. The term *eligible activity* in this section means any of the activities that may make the family eligible for a child care deduction (seeking work, pursuing an education, or being gainfully employed).

In evaluating the family’s request, the PHA will consider factors such as how the schedule for the claimed activity relates to the hours of care provided, the time required for transportation, the relationship of the family member(s) to the child, and any special needs of the child that might help determine which family member is enabled to pursue an eligible activity.

Seeking Work

If the child care expense being claimed is to enable a family member to seek employment, the family must provide evidence of the family member’s efforts to obtain employment at each reexamination. The deduction may be reduced or denied if the family member’s job search efforts are not commensurate with the child care expense being allowed by the PHA.

Furthering Education

If the child care expense being claimed is to enable a family member to further his or her education, the member must be enrolled in school (academic or vocational) or participating in a formal training program. The family member is not required to be a full-time student, but the time spent in educational activities must be commensurate with the child care claimed.

Being Gainfully Employed

If the child care expense being claimed is to enable a family member to be gainfully employed, the family must provide evidence of the family member’s employment during the time that child care is being provided. Gainful employment is any legal work activity (full- or part-time) for which a family member is compensated.

Earned Income Limit on Child Care Expense Deduction

When a family member looks for work or furthers his or her education, there is no cap on the amount that may be deducted for child care – although the care must still be necessary and reasonable. However, when child care enables a family member to work, the deduction is capped by “the amount of employment income that is included in annual income” [24 CFR 5.603(b)].

The earned income used for this purpose is the amount of earned income verified after any earned income disallowances or income exclusions are applied.

When the person who is enabled to work is a person with disabilities who receives the earned income disallowance (EID) or a full-time student whose earned income above \$480 is excluded, child care costs related to enabling a family member to work may not exceed the portion of the person’s earned income that actually is included in annual income. For example, if a family member who qualifies for the EID makes \$15,000 but because of the EID only \$5,000 is included in annual income, child care expenses are limited to \$5,000.

The PHA must not limit the deduction to the least expensive type of child care. If the care allows the family to pursue more than one eligible activity, including work, the cap is calculated in proportion to the amount of time spent working [HCV GB, p. 5-30].

When the child care expense being claimed is to enable a family member to work, only one family member’s income will be considered for a given period of time. When more than one family member works during a given period, the PHA generally will limit allowable child care expenses to the earned income of the lowest-paid member. The family may provide information that supports a request to designate another family member as the person enabled to work.

Eligible Child Care Expenses

The type of care to be provided is determined by the assisted family. The PHA may not refuse to give a family the child care expense deduction because there is an adult family member in the household that may be available to provide child care [VG, p. 26].

Allowable Child Care Activities

For school-age children, cost attributable to public or private school activities during standard school hours are not considered. Expenses incurred for supervised activities after school or during school holidays (e.g., summer day camp, after-school sports league) are allowable forms of child care.

The costs of general housekeeping and personal services are not eligible. Likewise, child care expenses paid to a family member who lives in the family’s unit are not eligible; however, payments for child care to relatives who do not live in the unit are eligible.

If a child care provider also renders other services to a family or child care is used to enable a family member to conduct activities that are not eligible for consideration, the PHA will prorate the costs and allow only that portion of the expenses that is attributable to a child care for eligible activities. For example, if the care provider also cares for a child with disabilities who is 13 or older, the cost of care will be prorated. Unless otherwise specified by the child care provider, the calculation will be based upon the number of hours spent in each activity and/or the number of persons under care.

Necessary and Reasonable Costs

Child care expenses will be considered necessary if: (1) a family adequately explains how the care enables a family member to work, actively seek employment, or further his or her education, and (2) the family certifies, and the child care provider verifies, that the expenses are not paid or reimbursed by any other source.

Child care expenses will be considered for the time required for the eligible activity plus reasonable transportation time. For child care that enables a family member to go to school, the time allowed may include not more than one study hour for each hour spent in class.

To establish the reasonableness of child care costs, the PHA will use the schedule of child care costs from the local welfare agency. Families may present, and the PHA will consider, justification for costs that exceed typical costs in the area.

PART III: CALCULATING FAMILY SHARE AND PHA SUBSIDY

A. OVERVIEW OF RENT AND SUBSIDY CALCULATIONS

TTP Formula [24 CFR 5.628]

HUD regulations specify the formula for calculating the total tenant payment (TTP) for an assisted family. TTP is the highest of the following amounts, rounded to the nearest dollar:

- 30 percent of the family's monthly adjusted income (adjusted income is defined in Part II)
- 10 percent of the family's monthly gross income (annual income, as defined in Part I, divided by 12)
- The welfare rent (in as-paid states only)
- A minimum rent between \$0 and \$50 that is established by the PHA

The PHA has authority to suspend and exempt families from minimum rent when a financial hardship exists, as defined in section 6-III.B.

The amount that a family pays for rent and utilities (the family share) will never be less than the family's TTP but may be greater than the TTP depending on the rent charged for the unit the family selects.

Welfare Rent [24 CFR 5.628]

Welfare rent does not apply in this locality.

Minimum Rent [24 CFR 5.630]

The minimum rent for this locality is \$50.00.

Family Share [24 CFR 982.305(a)(5)]

If a family chooses a unit with a gross rent (rent to owner plus an allowance for tenant-paid utilities) that exceeds the PHA's applicable payment standard: (1) the family will pay more than the TTP, and (2) at initial occupancy the PHA may not approve the tenancy if it would require the family share to exceed 40 percent of the family's monthly adjusted income. The income used for this determination must have been verified no earlier than 120 days before the family's voucher was issued. (For a discussion of the application of payment standards, see **Section 6 C.**)

PHA Subsidy [24 CFR 982.505(b)]

The PHA will pay a monthly housing assistance payment (HAP) for a family that is equal to the lower of (1) the applicable payment standard for the family minus the family's TTP or (2) the gross rent for the family's unit minus the TTP. (For a discussion of the application of payment standards, see **Section 6 C.**)

Utility Reimbursement [24 CFR 982.514(b)]

When the PHA subsidy for a family exceeds the rent to owner, the family is due a utility reimbursement. HUD permits the PHA to pay the reimbursement to the family or directly to the utility provider.

The PHA will make utility reimbursements to the family.

B. FINANCIAL HARDSHIPS AFFECTING MINIMUM RENT [24 CFR 5.630]

Overview

The PHA's minimum rent is \$50.00. If the PHA establishes a minimum rent greater than zero, the PHA must grant an exemption from the minimum rent if a family is unable to pay the minimum rent because of financial hardship.

The financial hardship exemption applies only to families required to pay the minimum rent. If a family's TTP is higher than the minimum rent, the family is not eligible for a hardship exemption. If the PHA determines that a hardship exists, the family share is the highest of the remaining components of the family's calculated TTP.

HUD-Defined Financial Hardship

Financial hardship includes the following situations:

- (1) The family has lost eligibility for or is awaiting an eligibility determination for a federal, state, or local assistance program. This includes a family member who is a noncitizen lawfully admitted for permanent residence under the Immigration and Nationality Act who would be entitled to public benefits but for Title IV of the Personal Responsibility and Work Opportunity Act of 1996.

A hardship will be considered to exist only if the loss of eligibility has an impact on the family's ability to pay the minimum rent.

For a family waiting for a determination of eligibility, the hardship period will end as of the first of the month following (1) implementation of assistance, if approved, or (2) the decision to deny assistance. A family whose request for assistance is denied may request a hardship exemption based upon one of the other allowable hardship circumstances.

- (2) The family would be evicted because it is unable to pay the minimum rent.

For a family to qualify under this provision, the cause of the potential eviction must be the family's failure to pay rent to the owner or tenant-paid utilities.

- (3) Family income has decreased because of changed family circumstances, including the loss of employment.
- (4) A death has occurred in the family.

In order to qualify under this provision, a family must describe how the death has created a financial hardship (e.g., because of funeral-related expenses or the loss of the family member's income).

Implementation of Hardship Exemption

Determination of Hardship

When a family requests a financial hardship exemption, the PHA must suspend the minimum rent requirement beginning the first of the month following the family's request.

The PHA then determines whether the financial hardship exists and whether the hardship is temporary (expected to last 90 days or less) or long-term.

When the minimum rent is suspended, the family share reverts to the highest of the remaining components of the calculated TTP. The example below demonstrates the effect of the minimum rent exemption.

Example: Impact of Minimum Rent Exemption			
Assume the PHA has established a minimum rent of \$35.			
Family Share – No Hardship		Family Share – With Hardship	
\$0	30% of monthly adjusted income	\$0	30% of monthly adjusted income
\$15	10% of monthly gross income	\$15	10% of monthly gross income
N/A	Welfare rent	N/A	Welfare rent
\$35	Minimum rent	\$35	Minimum rent
Minimum rent applies.		Hardship exemption granted.	
TTP = \$35		TTP = \$15	

To qualify for a hardship exemption, a family must submit a request for a hardship exemption in writing. The request must explain the nature of the hardship and how the hardship has affected the family's ability to pay the minimum rent.

The PHA will make the determination of hardship within 30 calendar days.

No Financial Hardship

If the PHA determines there is no financial hardship, the PHA will reinstate the minimum rent and require the family to repay the amounts suspended.

The PHA will require the family to repay the suspended amount within 30 calendar days of the PHA's notice that a hardship exemption has not been granted.

Temporary Hardship

If the PHA determines that a qualifying financial hardship is temporary, the PHA must suspend the minimum rent for the 90-day period beginning the first of the month following the date of the family's request for a hardship exemption.

At the end of the 90-day suspension period, the family must resume payment of the minimum rent and must repay the PHA the amounts suspended. HUD requires the PHA to offer a reasonable repayment agreement, on terms and conditions established by the PHA. The PHA also may determine that circumstances have changed and the hardship is now a long-term hardship.

The PHA will enter into a repayment agreement in accordance with the procedures found in **Chapter 13** of this Plan.

Long-Term Hardship

If the PHA determines that the financial hardship is long-term, the PHA must exempt the family from the minimum rent requirement for so long as the hardship continues. The exemption will apply from the first of the month following the family's request until the end of the qualifying hardship. When the financial hardship has been determined to be long-term, the family is not required to repay the minimum rent.

The hardship period ends when any of the following circumstances apply:

- (1) At an interim or annual reexamination, the family's calculated TTP is greater than the minimum rent.
- (2) For hardship conditions based on loss of income, the hardship condition will continue to be recognized until new sources of income are received that are at least equal to the amount lost. For example, if a hardship is approved because a family no longer receives a \$60/month child support payment, the hardship will continue to exist until the family receives at least \$60/month in income from another source or once again begins to receive the child support.
- (3) For hardship conditions based upon hardship-related expenses, the minimum rent exemption will continue to be recognized until the cumulative amount exempted is equal to the expense incurred.

C. APPLYING PAYMENT STANDARDS [24 CFR 982.505]

Overview

The PHA's schedule of payment standards is used to calculate housing assistance payments for HCV families. This section covers the application of the PHA's payment standards. The establishment and revision of the PHA's payment standard schedule are covered in **Chapter 15**.

Payment standard is defined as "the maximum monthly assistance payment for a family assisted in the voucher program (before deducting the total tenant payment by the family)" [24 CFR 982.4(b)].

The payment standard for a family is the lower of (1) the payment standard for the family unit size, which is defined as the appropriate number of bedrooms for the family under the PHA's subsidy standards [24 CFR 982.4(b)], or (2) the payment standard for the size of the dwelling unit rented by the family.

If the PHA has established an exception payment standard for a designated part of an FMR area and a family's unit is located in the exception area, the PHA must use the appropriate payment standard for the exception area.

The PHA is required to pay a monthly housing assistance payment (HAP) for a family that is the lower of (1) the payment standard for the family minus the family's TTP or (2) the gross rent for the family's unit minus the TTP.

If during the term of the HAP contract for a family's unit, the owner lowers the rent, the PHA will recalculate the HAP using the lower of the initial payment standard or the gross rent for the unit [HCV GB, p. 7-8].

Changes in Payment Standards

When the PHA revises its payment standards during the term of the HAP Contract for a family's unit, it will apply the new payment standards in accordance with HUD Regulations.

Decreases

If the amount on the payment standard schedule is decreased during the term of the HAP contract, the lower payment standard generally will be used beginning at the effective date of the family's second regular reexamination following the effective date of the decrease in the payment standard. The PHA will determine the payment standard for the family as follows:

Step 1: At the first regular reexamination following the decrease in the payment standard, the PHA will determine the payment standard for the family using the lower of the payment standard for the family unit size or the size of the dwelling unit rented by the family.

Step 2: The PHA will compare the payment standard from step 1 to the payment standard last used to calculate the monthly housing assistance payment for the family. The payment standard used by the PHA at the first regular reexamination following the decrease in the payment standard will be the higher of these two payment standards. The PHA will advise the family that the application of the lower payment standard will be deferred until the second regular reexamination following the effective date of the decrease in the payment standard.

Step 3: At the second regular reexamination following the decrease in the payment standard, the lower payment standard will be used to calculate the monthly housing assistance payment for the family unless the PHA has subsequently increased the payment standard, in which case the payment standard will be determined in accordance with procedures for increases in payment standards described below.

Increases

If the payment standard is increased during the term of the HAP contract, the increased payment standard will be used to calculate the monthly housing assistance payment for the family beginning on the effective date of the family's first regular reexamination on or after the effective date of the increase in the payment standard.

Families requiring or requesting interim reexaminations will not have their HAP payments calculated using the higher payment standard until their next annual reexamination [HCV GB, p. 7-8].

Changes in Family Unit Size

Irrespective of any increase or decrease in the payment standard, if the family unit size increases or decreases during the HAP contract term, the new family unit size must be used to determine the payment standard for the family beginning at the family's first regular reexamination following the change in family unit size.

Reasonable Accommodation

If a family requires a higher payment standard as a reasonable accommodation for a family member who is a person with disabilities, the PHA is allowed to establish a higher payment standard for the family within the basic range.

D. UTILITY ALLOWANCES [24 CFR 982.517]

Overview

A PHA-established utility allowance schedule is used in determining family share and PHA subsidy.

The utility allowance must include the utilities and services that are necessary in the locality to provide housing that complies with housing quality standards. The PHA must maintain a utility allowance schedule for (1) all tenant-paid utilities, (2) the cost of tenant-supplied refrigerators and ranges, and (3) other tenant-paid housing services such as trash collection. Costs for telephone, cable/satellite TV, and Internet services are not included in the utility allowance schedule.

The cost of each utility and housing service must be stated separately by unit size and type. **Chapter 16 of the *HCV Guidebook*** provides detailed guidance to the PHA about establishing utility allowance schedules.

The PHA must use the appropriate utility allowance for the size of dwelling unit actually leased by a family rather than the voucher unit size for which the family qualifies using PHA subsidy standards. See **Chapter 5** for information on the PHA's subsidy standards.

Reasonable Accommodation

HCV program regulations require a PHA to approve a utility allowance amount higher than shown on the PHA's schedule if a higher allowance is needed as a reasonable accommodation for a family member with a disability. For example, if a family member with a disability requires such an accommodation, the PHA will approve an allowance for air-conditioning, even if the PHA has determined that an allowance for air-conditioning generally is not needed.

The family must request the higher allowance and provide the PHA with an explanation of the need for the reasonable accommodation and information about the amount of additional allowance required [**HCV GB, p. 18-8**].

Utility Allowance Revisions

The PHA must review its schedule of utility allowances each year, and must revise the schedule if there has been a change of 10 percent or more in any utility rate since the last time the allowance for that utility was revised.

Revised utility allowances will be applied to a family's rent and subsidy calculations at the next annual reexamination that is effective after the allowance is adopted [**HCV GB, p. 18-9**].

E. PRORATED ASSISTANCE FOR MIXED FAMILIES [24 CFT 5.520]

HUD Regulations prohibit assistance to ineligible family members. A *mixed family* is one that includes at least one U.S. Citizen or eligible immigrant and any number of ineligible family members. The PHA must prorate the assistance provided to a mixed family. The PHA will first determine assistance as if all family members were eligible and then prorate the assistance based upon the percentage of family members that actually are eligible. For example, if the PHA subsidy for a family is calculated at \$500 and two of four family members are ineligible, the PHA subsidy would be reduced to \$250.

EXHIBIT 6-1: ANNUAL INCOME INCLUSIONS

24 CFR 5.609

(a) Annual income means all amounts, monetary or not, which:

(1) Go to, or on behalf of, the family head or spouse (even if temporarily absent) or to any other family member; or

(2) Are anticipated to be received from a source outside the family during the 12-month period following admission or annual reexamination effective date; and

(3) Which are not specifically excluded in paragraph (c) of this section.

(4) Annual income also means amounts derived (during the 12-month period) from assets to which any member of the family has access.

(b) Annual income includes, but is not limited to:

(1) The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services;

(2) The net income from the operation of a business or profession. Expenditures for business expansion or amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or assets from the operation of a business or profession will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested in the operation by the family;

(3) Interest, dividends, and other net income of any kind from real or personal property. Expenditures for amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation is permitted only as authorized in paragraph (b)(2) of this section. Any withdrawal of cash or assets from an investment will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested by the family. Where the family has net family assets in excess of \$5,000, annual income shall include the greater of the actual income derived from all net family assets or a percentage of the value of such assets based on the current passbook savings rate, as determined by HUD;

(4) The full amount of periodic amounts received from Social Security, annuities, insurance policies, retirement funds, pensions, disability or death benefits, and other similar types of periodic receipts, including a lump-sum amount or prospective monthly amounts for the delayed start of a periodic amount (except as provided in paragraph (c)(14) of this section);

(5) Payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation and severance pay (except as provided in paragraph (c)(3) of this section);

(6) Welfare assistance payments.

(i) Welfare assistance payments made under the Temporary Assistance for Needy Families (TANF) program are included in annual income only to the extent such payments:

(A) Qualify as assistance under the TANF program definition at 45 CFR 260.31¹; and

(B) Are not otherwise excluded under paragraph (c) of this section.

(ii) If the welfare assistance payment includes an amount specifically designated for shelter and utilities that is subject to adjustment by the welfare assistance agency in accordance with the actual cost of shelter and utilities, the amount of welfare assistance income to be included as income shall consist of:

(A) The amount of the allowance or grant exclusive of the amount specifically designated for shelter or utilities; plus

(B) The maximum amount that the welfare assistance agency could in fact allow the family for shelter and utilities. If the family's welfare assistance is ratably reduced from the standard of need by applying a percentage, the amount calculated under this paragraph shall be the amount resulting from one application of the percentage.

(7) Periodic and determinable allowances, such as alimony and child support payments, and regular contributions or gifts received from organizations or from persons not residing in the dwelling;

(8) All regular pay, special pay and allowances of a member of the Armed Forces (except as provided in paragraph (c)(7) of this section)

¹ Text of 45 CFR 260.31 follows.

<p>HHS DEFINITION OF "ASSISTANCE"</p>
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**45 CFR: GENERAL TEMPORARY
ASSISTANCE FOR NEEDY FAMILIES**

260.31 What does the term "assistance" mean?

(a)(1) The term "assistance" includes cash, payments, vouchers, and other forms of benefits designed to meet a family's ongoing basic needs (i.e., for food, clothing, shelter, utilities, household goods, personal care items, and general incidental expenses).

(2) It includes such benefits even when they are:

(i) Provided in the form of payments by a TANF agency, or other agency on its behalf, to individual recipients; and

(ii) Conditioned on participation in work experience or community service (or any other work activity under 261.30 of this chapter).

(3) Except where excluded under paragraph (b) of this section, it also includes supportive services such as transportation and child care provided to families who are not employed.

(b) [The definition of "assistance"] excludes: (1) Nonrecurrent, short-term benefits that:

(i) Are designed to deal with a specific crisis situation or episode of need;

(ii) Are not intended to meet recurrent or ongoing needs; and

(iii) Will not extend beyond four months.

(2) Work subsidies (i.e., payments to employers or third parties to help cover the costs of employee wages, benefits, supervision, and training);

(3) Supportive services such as child care and transportation provided to families who are employed;

(4) Refundable earned income tax credits;

(5) Contributions to, and distributions from, Individual Development Accounts;

(6) Services such as counseling, case management, peer support, child care information and referral, transitional services, job retention, job advancement, and other employment-related services that do not provide basic income support; and

(7) Transportation benefits provided under a Job Access or Reverse Commute project, pursuant to section 404(k) of [the Social Security] Act, to an individual who is not otherwise receiving assistance.

EXHIBIT 6-2: ANNUAL INCOME EXCLUSIONS

24 CFR 5.609

(c) Annual income does not include the following:

- (1) Income from employment of children (including foster children) under the age of 18 years;
- (2) Payments received for the care of foster children or foster adults (usually persons with disabilities, unrelated to the tenant family, who are unable to live alone);
- (3) Lump-sum additions to family assets, such as inheritances, insurance payments (including payments under health and accident insurance and worker's compensation), capital gains and settlement for personal or property losses (except as provided in paragraph (b)(5) of this section);
- (4) Amounts received by the family that are specifically for, or in reimbursement of, the cost of medical expenses for any family member;
- (5) Income of a live-in aide, as defined in Sec. 5.403;
- (6) The full amount of student financial assistance paid directly to the student or to the educational institution;
- (7) The special pay to a family member serving in the Armed Forces who is exposed to hostile fire;
- (8) (i) Amounts received under training programs funded by HUD;
- (ii) Amounts received by a person with a disability that are disregarded for a limited time for purposes of Supplemental Security Income eligibility and benefits because they are set aside for use under a Plan to Attain Self-Sufficiency (PASS);
- (iii) Amounts received by a participant in other publicly assisted programs which are specifically for or in reimbursement of out-of-pocket expenses incurred (special equipment, clothing, transportation, child care, etc.) and which are made solely to allow participation in a specific program;
- (iv) Amounts received under a resident service stipend. A resident service stipend is a modest amount (not to exceed \$200 per month) received by a resident for performing a service for the PHA or owner, on a part-time basis, that enhances the quality of life in the development. Such services may include, but are not limited to, fire patrol, hall monitoring, lawn maintenance, resident initiatives coordination, and serving as a member of the PHA's governing board. No resident may receive more than one such stipend during the same period of time;
- (v) Incremental earnings and benefits resulting to any family member from participation in qualifying State or local employment training programs (including training programs not affiliated with a local government) and training of a family member as resident management staff. Amounts excluded by this provision must be received under employment training programs with clearly defined goals and objectives, and are excluded only for the period during which the family member participates in the employment training program;
- (9) Temporary, nonrecurring or sporadic income (including gifts);
- (10) Reparation payments paid by a foreign government pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era;

(11) Earnings in excess of \$480 for each full-time student 18 years old or older (excluding the head of household and spouse);

(12) Adoption assistance payments in excess of \$480 per adopted child;

(13) [Reserved]

(14) Deferred periodic amounts from supplemental security income and social security benefits that are received in a lump sum amount or in prospective monthly amounts.

(15) Amounts received by the family in the form of refunds or rebates under State or local law for property taxes paid on the dwelling unit;

(16) Amounts paid by a State agency to a family with a member who has a developmental disability and is living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home; or

(17) Amounts specifically excluded by any other Federal statute from consideration as income for purposes of determining eligibility or benefits under a category of assistance programs that includes assistance under any program to which the exclusions set forth in 24 CFR 5.609(c) apply. A notice will be published in the Federal Register and distributed to PHAs and housing owners identifying the benefits that qualify for this exclusion. Updates will be published and distributed when necessary. [See the following chart for a list of benefits that qualify for this exclusion.]

Sources of Income Excluded by Federal Statute from Consideration as Income for Purposes of Determining Eligibility or Benefits

a) The value of the allotment provided to an eligible household under the Food Stamp Act of 1977 (7 U.S.C. 2017 (b));

b) Payments to Volunteers under the Domestic Volunteer Services Act of 1973 (42 U.S.C. 5044(g), 5058);

c) Payments received under the Alaska Native Claims Settlement Act (43 U.S.C. 1626(c));

d) Income derived from certain submarginal land of the United States that is held in trust for certain Indian tribes (25 U.S.C. 459e);

e) Payments or allowances made under the Department of Health and Human Services' Low-Income Home Energy Assistance Program (42 U.S.C. 8624(f));

f) Payments received under programs funded in whole or in part under the Job Training Partnership Act (29 U.S.C. 1552(b)); (effective July 1, 2000, references to Job Training Partnership Act shall be deemed to refer to the corresponding provision of the Workforce Investment Act of 1998 (29 U.S.C. 2931);

g) Income derived from the disposition of funds to the Grand River Band of Ottawa Indians (Pub.L- 94-540, 90 Stat. 2503-04);

h) The first \$2000 of per capita shares received from judgment funds awarded by the Indian Claims Commission or the U. S. Claims Court, the interests of individual Indians in trust or restricted lands, including the first \$2000 per year of income received by individual Indians from funds derived from interests held in such trust or restricted lands (25 U.S.C. 1407-1408);

i) Amounts of scholarships funded under title IV of the Higher Education Act of 1965, including awards under federal work-study program or under the Bureau of Indian Affairs student assistance programs (20 U.S.C. 1087uu);

j) Payments received from programs funded under Title V of the Older Americans Act of 1985 (42 U.S.C. 3056(f));

k) Payments received on or after January 1, 1989, from the Agent Orange Settlement Fund or any other fund established pursuant to the settlement in In Re Agent-product liability litigation, M.D.L. No. 381 (E.D.N.Y.);

l) Payments received under the Maine Indian Claims Settlement Act of 1980 (25 U.S.C. 1721);

m) The value of any child care provided or arranged (or any amount received as payment for such care or reimbursement for costs incurred for such care) under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858q);

n) Earned income tax credit (EITC) refund payments received on or after January 1, 1991 (26 U.S.C. 32(j));

o) Payments by the Indian Claims Commission to the Confederated Tribes and Bands of Yakima Indian Nation or the Apache Tribe of Mescalero Reservation (Pub. L. 95-433);

p) Allowances, earnings and payments to AmeriCorps participants under the National and Community Service Act of 1990 (42 U.S.C. 12637(d));

q) Any allowance paid under the provisions of 38 U.S.C. 1805 to a child suffering from spina bifida who is the child of a Vietnam veteran (38 U.S.C. 1805);

r) Any amount of crime victim compensation (under the Victims of Crime Act) received through crime victim assistance (or payment or reimbursement of the cost of such assistance) as determined under the Victims of Crime Act because of the commission of a crime against the applicant under the Victims of Crime Act (42 U.S.C. 10602); and

s) Allowances, earnings and payments to individuals participating in programs under the Workforce Investment Act of 1998 (29 U.S.C. 2931).

EXHIBIT 6-3: TREATMENT OF FAMILY ASSETS

24 CFR 5.603(b) Net Family Assets

(1) Net cash value after deducting reasonable costs that would be incurred in disposing of real property, savings, stocks, bonds, and other forms of capital investment, excluding interests in Indian trust land and excluding equity accounts in HUD homeownership programs. The value of necessary items of personal property such as furniture and automobiles shall be excluded.

(2) In cases where a trust fund has been established and the trust is not revocable by, or under the control of, any member of the family or household, the value of the trust fund will not be considered an asset so long as the fund continues to be held in trust. Any income distributed from the trust fund shall be counted when determining annual income under Sec. 5.609.

(3) In determining net family assets, PHAs or owners, as applicable, shall include the value of any business or family assets disposed of by an applicant or tenant for less than fair market value (including a disposition in trust, but not in a foreclosure or bankruptcy sale) during the two years preceding the date of application for the program or reexamination, as applicable, in excess of the consideration received therefor. In the case of a disposition as part of a separation or divorce settlement, the disposition will not be considered to be for less than fair market value if the applicant or tenant receives important consideration not measurable in dollar terms.

(4) For purposes of determining annual income under Sec. 5.609, the term "net family assets" does not include the value of a home currently being purchased with assistance under part 982, subpart M of this title. This exclusion is limited to the first 10 years after the purchase date of the home.

EXHIBIT 6-4: EARNED INCOME DISALLOWANCE FOR PERSONS WITH DISABILITIES

24 CFR 5.617 Self-sufficiency incentives for persons with disabilities—Disallowance of increase in annual income.

(a) Applicable programs. The disallowance of increase in annual income provided by this section is applicable only to the following programs: HOME Investment Partnerships Program (24 CFR part 92); Housing Opportunities for Persons with AIDS (24 CFR part 574); Supportive Housing Program (24 CFR part 583); and the Housing Choice Voucher Program (24 CFR part 982).

(b) Definitions. The following definitions apply for purposes of this section.

Disallowance. Exclusion from annual income.

Previously unemployed includes a person with disabilities who has earned, in the twelve months previous to employment, no more than would be received for 10 hours of work per week for 50 weeks at the established minimum wage.

Qualified family. A family residing in housing assisted under one of the programs listed in paragraph (a) of this section or receiving tenant-based rental assistance under one of the programs listed in paragraph (a) of this section.

(1) Whose annual income increases as a result of employment of a family member who is a person with disabilities and who was previously unemployed for one or more years prior to employment;

(2) Whose annual income increases as a result of increased earnings by a family member who is a person with disabilities during participation in any economic self-sufficiency or other job training program;
or

(3) Whose annual income increases, as a result of new employment or increased earnings of a family member who is a person with disabilities, during or within six months after receiving assistance, benefits or services under any state program for temporary assistance for needy families funded under Part A of Title IV of the Social Security Act, as determined by the responsible entity in consultation with the local agencies administering temporary assistance for needy families (TANF) and Welfare-to-Work (WTW) programs. The TANF program is not limited to monthly income maintenance, but also includes such benefits and services as one-time payments, wage subsidies and transportation assistance-- provided that the total amount over a six-month period is at least \$500.

(c) Disallowance of increase in annual income—

(1) Initial twelve month exclusion. During the cumulative twelve month period beginning on the date a member who is a person with disabilities of a qualified family is first employed or the family first experiences an increase in annual income attributable to employment, the responsible entity must exclude from annual income (as defined in the regulations governing the applicable program listed in paragraph (a) of this section) of a qualified family any increase in income of the family member who is a person with disabilities as a result of employment over prior income of that family member.

(2) Second twelve month exclusion and phase-in. During the second cumulative twelve month period after the date a member who is a person with disabilities of a qualified family is first employed or the family first experiences an increase in annual income attributable to employment, the responsible entity must exclude from annual income of a qualified family fifty percent of any increase in income of such family member as a result of employment over income of that family member prior to the beginning of such employment.

(3) Maximum four year disallowance. The disallowance of increased income of an individual family member who is a person with disabilities as provided in paragraph (c)(1) or (c)(2) is limited to a lifetime 48 month period. The disallowance only applies for a maximum of twelve months for disallowance under paragraph (c)(1) and a maximum of twelve months for disallowance under paragraph (c)(2), during the 48 month period starting from the initial exclusion under paragraph (c)(1) of this section.

(d) Inapplicability to admission. The disallowance of increases in income as a result of employment of persons with disabilities under this section does not apply for purposes of admission to the program (including the determination of income eligibility or any income targeting that may be applicable).

EXHIBIT 6-5: THE EFFECT OF WELFARE BENEFIT REDUCTION

24 CFR 5.615

Public housing program and Section 8 tenant-based assistance program: How welfare benefit reduction affects family income.

(a) Applicability. This section applies to covered families who reside in public housing (part 960 of this title) or receive Section 8 tenant-based assistance (part 982 of this title).

(b) Definitions. The following definitions apply for purposes of this section:

Covered families. Families who receive welfare assistance or other public assistance benefits ("welfare benefits") from a State or other public agency ("welfare agency") under a program for which Federal, State, or local law requires that a member of the family must participate in an economic self-sufficiency program as a condition for such assistance.

Economic self-sufficiency program. See definition at Sec. 5.603.

Imputed welfare income. The amount of annual income not actually received by a family, as a result of a specified welfare benefit reduction, that is nonetheless included in the family's annual income for purposes of determining rent.

Specified welfare benefit reduction.

(1) A reduction of welfare benefits by the welfare agency, in whole or in part, for a family member, as determined by the welfare agency, because of fraud by a family member in connection with the welfare program; or because of welfare agency sanction against a family member for noncompliance with a welfare agency requirement to participate in an economic self-sufficiency program.

(2) "Specified welfare benefit reduction" does not include a reduction or termination of welfare benefits by the welfare agency:

(i) at expiration of a lifetime or other time limit on the payment of welfare benefits;

(ii) because a family member is not able to obtain employment, even though the family member has complied with welfare agency economic self-sufficiency or work activities requirements; or

(iii) because a family member has not complied with other welfare agency requirements.

(c) Imputed welfare income.

(1) A family's annual income includes the amount of imputed welfare income (because of a specified welfare benefits reduction, as specified in notice to the PHA by the welfare agency), plus the total amount of other annual income as determined in accordance with Sec. 5.609.

(2) At the request of the PHA, the welfare agency will inform the PHA in writing of the amount and term of any specified welfare benefit reduction for a family member, and the reason for such reduction, and will also inform the PHA of any subsequent changes in the term or amount of such specified welfare benefit reduction. The PHA will use this information to determine the amount of imputed welfare income for a family.

(3) A family's annual income includes imputed welfare income in family annual income, as determined at the PHA's interim or regular reexamination of family income and composition, during the term of the

welfare benefits reduction (as specified in information provided to the PHA by the welfare agency).

(4) The amount of the imputed welfare income is offset by the amount of additional income a family receives that commences after the time the sanction was imposed. When such additional income from other sources is at least equal to the imputed

(5) The PHA may not include imputed welfare income in annual income if the family was not an assisted resident at the time of sanction.

(d) Review of PHA decision.

(1) Public housing. If a public housing tenant claims that the PHA has not correctly calculated the amount of imputed welfare income in accordance with HUD requirements, and if the PHA denies the family's request to modify such amount, the PHA shall give the tenant written notice of such denial, with a brief explanation of the basis for the PHA determination of the amount of imputed welfare income. The PHA notice shall also state that if the tenant does not agree with the PHA determination, the tenant may request a grievance hearing in accordance with part 966, subpart B of this title to review the PHA determination. The tenant is not required to pay an escrow deposit pursuant to Sec. 966.55(e) for the portion of tenant rent attributable to the imputed welfare income in order to obtain a grievance hearing on the PHA determination.

(2) Section 8 participant. A participant in the Section 8 tenant-based assistance program may request an informal hearing, in accordance with Sec. 982.555 of this title, to review the PHA determination of the amount of imputed welfare income that must be included in the family's annual income in accordance with this section. If the family claims that such amount is not

correctly calculated in accordance with HUD requirements, and if the PHA denies the family's request to modify such amount, the PHA shall give the family written notice of such denial, with a brief explanation of the basis for the PHA determination of the amount of imputed welfare income. Such notice shall also state that if the family does not agree with the PHA determination, the family may request an informal hearing on the determination under the PHA hearing procedure.

(e) PHA relation with welfare agency.

(1) The PHA must ask welfare agencies to inform the PHA of any specified welfare benefits reduction for a family member, the reason for such reduction, the term of any such reduction, and any subsequent welfare agency determination affecting the amount or term of a specified welfare benefits reduction. If the welfare agency determines a specified welfare benefits reduction for a family member, and gives the PHA written notice of such reduction, the family's annual incomes shall include the imputed welfare income because of the specified welfare benefits reduction.

(2) The PHA is responsible for determining the amount of imputed welfare income that is included in the family's annual income as a result of a specified welfare benefits reduction as determined by the welfare agency, and specified in the notice by the welfare agency to the PHA. However, the PHA is not responsible for determining whether a reduction of welfare benefits by the welfare agency was correctly determined by the welfare agency in accordance with welfare program requirements and procedures, nor for providing the opportunity for review or hearing on such welfare agency determinations.

(3) Such welfare agency determinations are the responsibility of the welfare agency, and the family may seek appeal of such determinations through the welfare agency's normal due process procedures.

The PHA shall be entitled to rely on the welfare agency notice to the PHA of the welfare agency's determination of a specified welfare benefits reduction.

Operations and Management

Fayette County Housing Authority Management Structure

An organization chart showing the PHA's management structure and organization is attached.

Program Name	Units or Families Served at Year Beginning	Expected Turnover
Public Housing	1169	164
Section 8 Vouchers	968	86
Section 8 Certificates	N/A	N/A
Section 8 Mod Rehab	4	0
Special Purpose Section 8 Certificates/Vouchers (list individually) SRO	18	8
Because of funding Constraints are only able to lease about 950 of 1,104 sec.8 Vouchers		
Other Federal Programs(list individually)		
FSS	25	5

Management and Maintenance Policies

(1) Public Housing Maintenance and Management: (list below)

- Admission and Continued Occupancy Policy (ACOP)
 - Admission & Occupancy Procedures
 - Accounting Method Policy
 - Board By-Laws and Housing Authority Law
 - Capitalization Policy
 - Cash Collection Policy
 - Cost Allocation Methodology
 - Defiant Trespass Procedure
 - Computer Use Policy
 - Emergency Housing Policy
 - Fact Sheet
 - Residential Lease
-

- Harassment Policy
- Inspection & Copying of Public Records
- Insurance Procurement Policy
- Investment Policy
- One Strike You're Out Policy
- Maintenance Procedure
- On Call Maintenance Procedure
- Maintenance/Preventive Maintenance Plan
- Grievance Policy
- Pest Eradication Policy
- Facilities Use Procedures
- House Rules
- Crime Policy & Procedure
- Pet Policy
- Rent Collection

(2) Section 8 Management: (list below)

- Section 8 Administrative Plan
- Related HUD Forms (request for Tenancy, etc.)
- HQS Guidebook and Checklist
- Inspections Procedures

(3) FCHA Management

- Drug & Alcohol Policy
- Procurement Policy
- Disposition Policy
- Hazardous Materials
- EEO
- Violence Against Women Act Policy

:

FAYETTE COUNTY HOUSING AUTHORITY
COMPLAINTS, GRIEVANCES AND APPEALS

[24 CFR Part 966 Subpart B]

INTRODUCTION

The informal hearing requirements defined in HUD regulations are applicable to participating families who disagree with an action, decision, or inaction of the Fayette County Housing Authority. This Chapter describes the policies to be used when families disagree with a PHA decision. It is the policy of the PHA to ensure that all families have the benefit of all protections due to them under the law.

Grievances shall be handled in accordance with the PHA's approved Grievance Procedures. The written Grievance Procedure is incorporated into this document by reference and is the guideline to be used for grievances and appeals.

A. COMPLAINTS

The PHA will respond promptly to all complaints.

Each complaint regarding physical condition of the units may be reported by phone to the Housing Administrator or Site Supervisor. Anonymous complaints are checked whenever possible. The PHA does require that complaints be put in writing.

Complaints from families. If a family disagrees with an action or inaction of the PHA, complaints will be referred to the Executive Director. Complaints regarding physical condition of the units may be reported by phone to the Executive Director.

Complaints from staff. If a staff person reports a family is violating or has violated a lease provision or is not complying with program rules, the complaints will be referred to the Executive Director.

Complaints from the general public. Complaints or referrals from persons in the community in regard to the PHA or a family will be referred to the Executive Director.

B. APPEALS BY APPLICANTS

Applicants who are determined ineligible, who do not meet the PHA's admission standards, or where the PHA does not have an appropriate size and type of unit in its inventory will be given written notification promptly, including the reason for the determination.

Ineligible applicants will be promptly provided with a letter detailing their individual status, stating the reason for their ineligibility, and offering them an opportunity for an informal hearing.

Applicants must submit their request for an informal hearing in writing to the PHA within ten (10) working days from the date of the notification of their ineligibility.

If the applicant requests an informal hearing, the PHA will provide an informal hearing within ten (10) working days of receiving the request. The PHA will notify the applicant of the place, date, and time.

Informal hearings will be conducted by an impartial hearing officer. The person who is designated as the hearing officer cannot be the person who made the determination of ineligibility or a subordinate of that person.

The applicant may bring to the hearing any documentation or evidence s/he wishes and the evidence along with the data compiled by the PHA will be considered by the hearing officer.

The hearing officer will make a determination based upon the merits of the evidence presented by both sides. Within five (5) working days of the date of the hearing, the hearing officer will mail a written decision to the applicant and place a copy of the decision in the applicant's file.

The Grievance Procedures for Public Housing Tenants do not apply to PHA determinations that affect applicants.

C. APPEALS BY TENANTS

Grievances or appeals concerning the obligations of the tenant or the PHA under the provisions of the lease shall be processed and resolved in accordance with the Grievance Procedure of the PHA, which is in effect at the time such grievance or appeal arises.

(See the PHA's Grievance Procedure contained in this Chapter.)

D. HEARING AND APPEAL PROVISIONS FOR "RESTRICTIONS ON ASSISTANCE TO NON-CITIZENS"

Assistance to the family may not be delayed, denied or terminated on the basis of immigration status at any time prior to the receipt of the decision on the INS appeal.

Assistance to a family may not be terminated or denied while the PHA hearing is pending but assistance to an applicant may be delayed pending the PHA hearing.

INS Determination of Ineligibility

If a family member claims to be an eligible immigrant and the INS SAVE system and manual search do not verify the claim, the PHA notifies the applicant or tenant within ten days of their right to appeal to the INS within thirty days or to request an informal hearing with the PHA either in lieu of or subsequent to the INS appeal.

If the family appeals to the INS, they must give the PHA a copy of the appeal and proof of mailing or the PHA may proceed to deny or terminate. The time period to request an appeal may be extended by the PHA for good cause.

The request for a PHA hearing must be made within fourteen days of receipt of the notice offering the hearing or, if an appeal was made to the INS, within fourteen days of receipt of that notice.

After receipt of a request for an informal hearing, the hearing is conducted as described in the "Grievance Procedures" section of this chapter for both applicants and participants. If the hearing officer decides that the individual is not eligible, and there are no other eligible family members the PHA will:

Deny the applicant family.

Terminate the participant.

If there are eligible members in the family, the PHA will offer to prorate assistance or give the family the option to remove the ineligible members.

All other complaints related to eligible citizen/immigrant status:

If any family member fails to provide documentation or certification as required by the regulation, that member is treated as ineligible. If all family members fail to provide, the family will be denied or terminated for failure to provide.

Participants whose assistance is pro-rated (either based on their statement that some members are ineligible or due to failure to verify eligible immigration status for some members after exercising their appeal and hearing rights described above) are entitled to a hearing based on the right to a hearing regarding determinations of Tenant Rent and Total Tenant Payment.

Families denied or terminated for fraud in connection with the non-citizens rule are entitled to a review or hearing in the same way as terminations for any other type of fraud.

E. GRIEVANCE PROCEDURES

Definitions

Grievance. Any dispute which a tenant may have with respect to a Housing Authority action or failure to act in accordance with the individual tenant's lease or PHA regulations that adversely affect the individual tenant's rights, duties, welfare, or status.

Complainant. Any tenant whose grievance is presented to the PHA or at the site/management office informally or as part of the informal hearing process.

Hearing Officer/Hearing Panel. A person or persons selected in accordance with this grievance procedure to hear grievances and render a decision with respect thereto.

Tenant. A lessee or the remaining head of household of any tenant family residing in housing accommodations owned or leased by the PHA.

Elements of Due Process. An eviction action or a termination of tenancy in a State or local court in which the following procedural safeguards are required.

Adequate notice to the tenant of the grounds for terminating the tenancy and for eviction;

Opportunity for the tenant to examine all relevant documents, records, and regulations of the PHA prior to the trial for the purpose of preparing a defense;

Right of the tenant to be represented by counsel;

Opportunity for the tenant to refute the evidence presented by the PHA including the right to confront and cross-examine witnesses and to present any affirmative legal or equitable defense which the tenant may have;

A decision on the merits of the case.

Applicability

This Grievance Procedure applies to all individual grievances, except any grievance concerning a termination of tenancy or eviction that involves:

Any activity criminal activity that threatens the health, safety, or right to peaceful enjoyment of the premises of other residents or PHA employees, or

Any violent or drug-related criminal activity *on* or *off* such premises, or

Any criminal activity that resulted in felony conviction of a household member.

Pre-Hearing Procedures

Informal Conference Procedures

Any grievance shall be presented orally or in writing to the PHA office or to the housing management office that sent the notice on which the grievance is based. Written grievances must be signed by the complainant. The grievance must be presented within ten (10) working days of the action or failure to act] that is the basis for the grievance. It may be simply stated, but shall specify:

The particular grounds upon which it is based,

The action requested; and

The name, address, and telephone number of the complainant, and similar information about the complainant's representative, if any.

The purpose of the initial discussion is to discuss and to resolve the grievance without the necessity of a formal hearing.

Within five working days, a summary of this discussion will be given to the complainant by a PHA representative. One copy will be filed in the tenant's file.

The summary will include: names of participants, the date of the meeting, the nature of the proposed disposition, and the specific reasons for the disposition. The summary will also specify the steps by which a formal hearing can be obtained.

Dissatisfaction with Informal Conference

If the complainant is dissatisfied with the proposed disposition of the grievance, he/she shall submit a written request for a hearing within five (5) working days of the receipt of the summary of the informal meeting.

The request for a hearing must be presented to the PHA's central office legal department.

The request must specify the reason for the grievance request and the relief sought.

Failure to Request a Formal Hearing

If the complainant does not request a formal hearing within five (5) working days, s/he waives his/her right to a hearing, and the PHA's proposed disposition of the grievance will become final. This section in no way constitutes a waiver of the complainant's right to contest the PHA's disposition in an appropriate judicial proceeding.

Right to a Hearing

After exhausting the informal conference procedures outlined above, a complainant shall be entitled to a hearing before a hearing officer.

The head of household or other adult household member must attend the hearing.

If rescheduling of the hearing is necessary, the hearing must be rescheduled at least five (5) days in advance of the scheduled hearing time.

The PHA will provide reasonable accommodation for persons with disabilities to participate in the hearing. The PHA must be notified within 24 hours of the scheduled time if special accommodations are required.

Selection of Hearing Officer

A grievance hearing shall be conducted by an impartial person or persons appointed by the PHA other than the person who made or approved the PHA action under review, or a subordinate of such person.

Procedures to Obtain a Hearing

Informal Prerequisite

All grievances must be informally presented as a prerequisite to a formal hearing.

The hearing officer may waive the prerequisite informal conference if, and only if, the complainant can show good cause why s/he failed to proceed informally.

Escrow Deposit

Before a hearing is scheduled in any grievance involving an amount of rent the PHA claims is due, except grievances concerning imputed welfare benefits or use of minimum rent, the complainant shall pay to the PHA all rent due and payable as of the month preceding the month in which the act or failure to act took place. Grievances concerning imputed welfare benefits and minimum rents are exempt from the escrow deposit requirement.

The complainant shall thereafter deposit the same amount of the monthly rent in an escrow account each month until the complaint is resolved by decision of the hearing official or panel.

The PHA may waive these escrow requirements in extraordinary circumstances.

Unless so waived, failure to make the required escrow payments shall result in termination of the grievance procedure.

Failure to make such payments does not constitute a waiver of any right the complainant may have to contest the PHA's disposition of the grievance in any appropriate judicial proceeding.

Scheduling

If the complainant complies with the procedures outlined above, a hearing shall be scheduled by the Hearing Officer promptly within ten (10) working days at a time and place reasonably convenient to the complainant and the PHA.

A written notification of the date, time, place, and procedures governing the hearing shall be delivered to the complainant and the appropriate PHA official.

Hearing Procedures

The hearing shall be held before a hearing officer.

The complainant shall be afforded a fair hearing and be provided the basic safeguards of due process to include:

The opportunity to examine and to copy before the hearing, all documents, records and regulations of the PHA that are relevant to the hearing with at least a 24 hour notice to the legal department prior to the hearing. Any document not so made available after request by the complainant may not be relied upon by the PHA at the hearing.

The PHA shall also have the opportunity to examine and to copy all documents, records and statements that the family plans to submit during the hearing to refute the PHA's inaction or proposed action. Any documents not so made available to the PHA may not be relied upon at the hearing.

The right to a private hearing unless otherwise requested by the complainant.

The right to be represented by counsel or other person chosen as a representative.

The right to present evidence and arguments in support of the complaint, to controvert evidence presented by the PHA, and to confront and cross-examine all witnesses upon whose testimony or information the PHA relies, limited to the issues for which the complainant has received the opportunity for a formal hearing; and

The right to a decision based solely and exclusively upon the facts presented at the hearing.

If the Hearing Officer determines that the issue has been previously decided in another proceeding, a decision may be rendered without proceeding with the hearing.

If the complainant or PHA fail to appear at the scheduled hearing, the Hearing Officer may:

- make a determination that the party has waived his/her right to a hearing.

Such a determination in no way waives the complainant's right to appropriate judicial proceedings in another forum.

At the hearing, the complainant must first make a showing of an entitlement to the relief sought and thereafter the PHA must sustain the burden of justifying the PHA action or failure to act against which the complaint is directed.

The hearing shall be conducted by the Hearing Officer as follows:

Informal: Oral and documentary evidence pertinent to the facts and issues raised by the complaint may be received without regard to admissibility under the rules of evidence applicable to judicial proceedings;

Formal: The Hearing Officer shall require the PHA, complainant, counsel, and other participants and spectators to conduct themselves in an orderly manner. The failure to comply with the directions of the hearing official/panel to maintain order will result in the exclusion from the proceedings, or a decision adverse to the interests of the disorderly party and granting or denial of the relief sought, as appropriate.

The PHA arranges, in advance, in writing, for a transcript or audiotape of the hearing. Any interested party may purchase a copy of such transcript.

Decisions of the Hearing Officer/Panel

The Hearing Officer shall give the PHA and the complainant a written decision, including the reasons for the decision, within five (5) working days following the hearing. The PHA will place one copy in the tenant files. The written decision will be sent to the address provided at the hearing.

The decision of the Hearing Officer shall be binding on the PHA which shall take all actions necessary to carry out the decision, unless the complainant requests Board action within ten (10) working days prior to the next Board meeting. The PHA Commissioners' decision will be mailed to the complainant with ten (10) working days following the Board Meeting, and so notifies the complainant that:

The grievance does not concern the PHA action or failure to act in accordance with or involving the complainant's lease or PHA regulations which adversely affect the complainant's rights, duties, welfare or status;

The decision of the Hearing Officer is contrary to applicable Federal, State, or local law, HUD regulations or requirements of the Annual Contributions Contract between HUD and the PHA.

A decision by the Hearing Officer or PHA Commissioners in favor of the PHA or which denies the relief requested by the complainant in whole or part shall not constitute a waiver of, nor affect in any manner whatever, the rights of the complainant to a trial or judicial review in any proceedings which may thereafter be brought in the matter.

Housing Authority Eviction Actions

If a tenant has requested a hearing in accordance with these duly adopted Grievance Procedures on a complaint involving a PHA notice of termination of tenancy, and the Hearing Officer upholds the PHA action, the PHA shall not commence an eviction action until it has served a notice to vacate on the tenant.

In no event shall the notice to vacate be issued prior to the decision of the Hearing Officer having been mailed or delivered to the complainant.

Such notice to vacate must be in writing and specify that if the tenant fails to quit the premises within the applicable statutory period, or on the termination date as stated in the notice of termination, whichever is later, appropriate action will be brought against the complainant. The complainant may be required to pay court costs and attorney fees.

Reserved

FAYETTE COUNTY HOUSING AUTHORITY (SECTION 8 PROGRAM)

COMPLAINTS AND APPEALS

INTRODUCTION

The Informal Hearing requirements defined in HUD Regulations are applicable to participating families who disagree with an action, decision, or inaction of the PHA. This Chapter describes the policies, procedures and standards to be used when families disagree with a PHA decision. The procedures and requirements are explained for preference denial meetings, informal reviews and hearings. It is the policy of the PHA to ensure that all families have the benefit of all protections due to them under the law.

A. COMPLAINTS TO THE PHA

The Fayette County Housing Authority will respond promptly to complaints from families, owners, employees, and members of the public. All complaints will be documented. The PHA does require that complaints other than HQS violations be put in writing. If the complaint is not in writing, no further action will be taken. HQS complaints may be reported by telephone.

The PHA Hearing Procedures will be provided to families in the Briefing Packet.

Categories of Complaints

Complaints from families: If a family disagrees with an action or inaction of the PHA or owner.

Complaints from families will be referred to the Section 8 Program Coordinator. If a complaint is not resolved, it will be referred to the Solicitor, who serves as Hearing Officer for the Housing Authority.

Complaints from owners: If an owner disagrees with an action or inaction of the PHA or a family.

Complaints from owners will be referred to the Section 8 Program Coordinator. If a complaint is not resolved, it will be referred to the Solicitor, who serves as Hearing Officer for the Housing Authority.

Complaints from staff: If a staff person reports an owner or family either violating or not complying with program rules, the complaint will be referred to the Section 8 Program Coordinator.

Complaints from the general public: Complaints or referrals from persons in the community in regard to the PHA, a family or an owner will be referred to the Section 8 Housing Specialist. If a complaint is not resolved, it will be referred to the Section 8 Program Coordinator.

B. PREFERENCE DENIALS

When the PHA denies a preference to an applicant, the family will be notified in writing of the specific reason for the denial and offered the opportunity for a meeting with PHA staff to discuss the reasons for the denial and to dispute the PHA's decision.

C. INFORMAL REVIEW PROCEDURES FOR APPLICANTS **[24 CFR 982.54(d)(12), 982.554]**

Reviews are provided for applicants who are denied assistance before the effective date of the HAP contract. The exception is that when an applicant is denied assistance for citizenship or eligible immigrant status, the applicant is entitled to an informal hearing.

When the PHA determines that an applicant is ineligible for the program, the family must be notified of their ineligibility in writing. The notice must contain:

The reason(s) they are ineligible,

The procedure for requesting a review if the applicant does not agree with the decision and

The time limit for requesting a review.

When denying admission for criminal activity as shown by a criminal record, the PHA will provide the subject of the record and the applicant with a copy of the criminal record upon which the decision to deny was based.

The PHA must provide applicants with the opportunity for an informal review of decisions denying:

Qualification for preference

Listing on the PHA's waiting list

Issuance of a voucher

Participation in the program

Assistance under portability procedures

Informal reviews are not required for established policies and procedures and PHA determinations such as:

Discretionary administrative determinations by the PHA

General policy issues or class grievances

A determination of the family unit size under the PHA subsidy standards

Refusal to extend or suspend a voucher

A PHA determination not to grant approval of the tenancy

Determination that unit is not in compliance with HQS

Determination that unit is not in accordance with HQS due to family size or composition

Procedure for Review

A request for an Informal Review must be received in writing by the close of the business day, no later than 10 days from the date of the PHA's notification of denial of assistance. The informal review will be scheduled within 10 days from the date the request is received.

Since the Informal Review may not be conducted by the person who made or approved the decision under review, nor a subordinate of such person, it will be conducted by the Solicitor who serves as Hearing Officer for the Housing Authority.

The applicant will be given the option of presenting oral or written objections to the decision. Both the PHA and the family may present evidence and witnesses. The family may use an attorney or other representative to assist them at their own expense.

A notice of the review findings will be provided in writing to the applicant within 10 days after the review. It shall include the decision of the review officer, and an explanation of the reasons for the decision.

All requests for a review, supporting documentation, and a copy of the final decision will be retained in the family's file.

D. INFORMAL HEARING PROCEDURES [24 CFR 982.555(a-f), 982.54(d)(13)]

When the PHA makes a decision regarding the eligibility and/or the amount of assistance, applicants and participants must be notified in writing. The PHA will give the family prompt notice of such determinations which will include:

The proposed action or decision of the PHA

The date the proposed action or decision will take place

The family's right to an explanation of the basis for the PHA's decision

The procedures for requesting a hearing if the family disputes the action or decision

The time limit for requesting the hearing

To whom the hearing request should be addressed

A copy of the PHA's hearing procedures

When terminating assistance for criminal activity as shown by a criminal record, the PHA will provide the subject of the record and the tenant/participant with a copy of the criminal record upon which the decision to terminate was based.

The PHA must provide participants with the opportunity for an informal hearing for decisions related to any of the following PHA determinations:

- Determination of the family's annual or adjusted income and the computation of the housing assistance payment

- Appropriate utility allowance used from schedule

- Family unit size determination under PHA subsidy standards

- Determination to terminate assistance for any reason

- Determination to terminate a family's FSS Contract, withhold supportive services, or propose forfeiture of the family's escrow account

The PHA must always provide the opportunity for an informal hearing before termination of assistance.

Informal hearings are not required for established policies and procedures and PHA determinations such as:

- Discretionary administrative determinations by the PHA

- General policy issues or class grievances

- Establishment of the PHA schedule of utility allowances for families in the program

- A PHA determination not to approve an extension or suspension of a voucher term

- A PHA determination not to approve a unit or lease

A PHA determination that an assisted unit is not in compliance with HQS (PHA must provide hearing for family breach of HQS because that is a family obligation determination)

A PHA determination that the unit is not in accordance with HQS because of the family size

A PHA determination to exercise or not exercise any right or remedy against the owner under a HAP contract

Notification of Hearing

It is the PHA's objective to resolve disputes at the lowest level possible, and to make every effort to avoid the most severe remedies. However, if this is not possible, the PHA will ensure that applicants and participants will receive all of the protections and rights afforded by the law and the regulations.

When the PHA receives a request for an informal hearing, a hearing shall be scheduled within 10 days of the receipt of the request for the hearing. The notification of hearing will contain:

The date and time of the hearing

The location where the hearing will be held

The family's right to bring evidence, witnesses, legal or other representation at the family's expense

The PHA's Hearing Procedures

After a hearing date is agreed to, the family may request to reschedule only upon showing "good cause," which is defined as an unavoidable conflict which seriously affects the health, safety or welfare of the family.

If a family does not appear at a scheduled hearing and has not rescheduled the hearing in advance, the family must contact the PHA within 24 hours, excluding weekends and holidays. The PHA will reschedule the hearing only if the family can show good cause for the failure to appear.

Families have the right to:

Present written or oral objections to the PHA's determination.

Examine the documents in the file which are the basis for the PHA's action, and all documents submitted to the Hearing Officer;

Copy any relevant documents at their expense;

Present any information or witnesses pertinent to the issue of the hearing;

Request that PHA staff be available or present at the hearing to answer questions pertinent to the case; and

Be represented by legal counsel, advocate, or other designated representative at their own expense.

In addition to other rights contained in this Chapter, the PHA has a right to:

Present evidence and any information pertinent to the issue of the hearing;

Be notified if the family intends to be represented by legal counsel, advocate, or another party;

Examine and copy any documents to be used by the family prior to the hearing;

Have its attorney present; and

Have staff persons and other witnesses familiar with the case present.

Since the Informal Hearing must be conducted by someone who is neither the person who made or approved the decision, nor a subordinate of that person, it will be conducted by the Solicitor who serves as Hearing Officer for the Housing Authority.

The Hearing shall concern only the issues for which the family has received the opportunity for Hearing. Evidence presented at the Hearing may be considered without regard to admissibility under the rules of evidence applicable to judicial proceedings.

No documents may be presented which have not been provided to the other party before the hearing if requested by the other party. "Documents" includes records and regulations.

The Hearing Officer may ask the family for additional information and/or might adjourn the hearing in order to reconvene at a later date, before reaching a decision.

If the family misses an appointment or deadline ordered by the Hearing Officer, the action of the PHA shall take effect and another hearing will not be granted.

The Hearing Officer will determine whether the action, inaction or decision of the PHA is legal in accordance with HUD regulations and this Administrative Plan based upon the evidence and testimony provided at the hearing. Factual determinations relating to the individual circumstances of the family will be based on a preponderance of the evidence presented at the hearing.

A notice of the hearing findings shall be provided in writing to the PHA and the family within 10 days and shall include:

A clear summary of the decision and reasons for the decision;

If the decision involves money owed, the amount owed and documentation of the calculation of monies owed;

The date the decision goes into effect.

The PHA is not bound by hearing decisions:

Which concern matters in which the PHA is not required to provide an opportunity for a hearing

Which conflict with or contradict to HUD regulations or requirements;

Which conflict with or contradict Federal, State or local laws; or

Which exceed the authority of the person conducting the hearing.

The PHA shall send a letter to the participant if it determines the PHA is not bound by the Hearing Officer's determination within 10 days. The letter shall include the PHA's reasons for the decision.

All requests for a hearing, supporting documentation, and a copy of the final decision will be retained in the family's file.

E. HEARING AND APPEAL PROVISIONS FOR "RESTRICTIONS ON ASSISTANCE TO NON-CITIZENS" [24 CFR Part 5, Subpart E]

Assistance to the family may not be delayed, denied or terminated on the basis of immigration status at any time prior to the receipt of the decision on the INS appeal.

Assistance to a family may not be terminated or denied while the PHA hearing is pending but assistance to an applicant may be delayed pending the PHA hearing.

INS Determination of Ineligibility

If a family member claims to be an eligible immigrant and the INS SAVE system and manual search do not verify the claim, the PHA notifies the applicant or participant within ten days of their right to appeal to the INS within thirty days or to request an informal hearing with the PHA either in lieu of or subsequent to the INS appeal.

If the family appeals to the INS, they must give the PHA a copy of the appeal and proof of mailing or the PHA may proceed to deny or terminate. The time period to request an appeal may be extended by the PHA for good cause.

The request for a PHA hearing must be made within fourteen days of receipt of the notice offering the hearing or, if an appeal was made to the INS, within fourteen days of receipt of that notice.

After receipt of a request for an informal hearing, the hearing is conducted as described in this chapter for both applicants and participants. If the hearing officer decides that the individual is not eligible, and there are no other eligible family members the PHA will:

- Deny the applicant family

- Defer termination if the family is a participant and qualifies for deferral

- Terminate the participant if the family does not qualify for deferral

If there are eligible members in the family, the PHA will offer to prorate assistance or give the family the option to remove the ineligible members.

All other complaints related to eligible citizen/immigrant status:

- If any family member fails to provide documentation or certification as required by the regulation, that member is treated as ineligible. If all family members fail to provide, the family will be denied or terminated for failure to provide.

- Participants whose termination is carried out after temporary deferral may not request a hearing since they had an opportunity for a hearing prior to the termination.

- Participants whose assistance is pro-rated (either based on their statement that some members are ineligible or due to failure to verify eligible immigration status for some members after exercising their appeal and hearing rights described above) are entitled to a hearing based on the right to a hearing regarding determinations of tenant rent and Total Tenant Payment.

- Families denied or terminated for fraud in connection with the non-citizens rule are entitled to a review or hearing in the same way as terminations for any other type of fraud.

F. MITIGATING CIRCUMSTANCES FOR APPLICANTS/PARTICIPANTS WITH DISABILITIES [24 CFR 982.204, 982.552(c)]

When applicants are denied placement on the waiting list, or the PHA is terminating assistance, the family will be informed that presence of a disability may be considered as a mitigating circumstance during the informal review process.

Reserved

Designation of Public Housing Activity Description
1a. Development name: Mulligan Manor
1b. Development (project) number: PA 15-11
2. Designation type: Occupancy by only the elderly <input checked="" type="checkbox"/> Occupancy by families with disabilities <input type="checkbox"/> Occupancy by only elderly families and families with disabilities <input type="checkbox"/>
3. Application status (select one) Approved; included in the PHA's Designation Plan <input checked="" type="checkbox"/> Submitted, pending approval <input type="checkbox"/> Planned application <input type="checkbox"/>
4. Date this designation approved , submitted, or planned for submission: 10/26/10
5. If approved, will this designation constitute a (select one) <input type="checkbox"/> New Designation Plan <input checked="" type="checkbox"/> Revision of a previously-approved Designation Plan?
6. Number of units affected: 65
7. Coverage of action (select one) <input type="checkbox"/> Part of the development <input checked="" type="checkbox"/> Total development

Designation of Public Housing Activity Description
1a. Development name: White Swan Apartments
1b. Development (project) number: PA 15-12
2. Designation type: Occupancy by only the elderly <input checked="" type="checkbox"/> Occupancy by families with disabilities <input type="checkbox"/> Occupancy by only elderly families and families with disabilities <input type="checkbox"/>
3. Application status (select one) Approved; included in the PHA's Designation Plan <input checked="" type="checkbox"/> Submitted, pending approval <input type="checkbox"/> Planned application <input type="checkbox"/>
4. Date this designation approved , submitted, or planned for submission: 10/26/10
5. If approved, will this designation constitute a (select one) <input type="checkbox"/> New Designation Plan <input checked="" type="checkbox"/> Revision of a previously-approved Designation Plan?
6. Number of units affected: 78
7. Coverage of action (select one) <input type="checkbox"/> Part of the development <input checked="" type="checkbox"/> Total development

Designation of Public Housing Activity Description
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1a. Development name: Marshall Manor
1b. Development (project) number: PA 15-13
2. Designation type: Occupancy by only the elderly <input checked="" type="checkbox"/> Occupancy by families with disabilities <input type="checkbox"/> Occupancy by only elderly families and families with disabilities <input type="checkbox"/>
3. Application status (select one) Approved; included in the PHA's Designation Plan <input checked="" type="checkbox"/> Submitted, pending approval <input type="checkbox"/> Planned application <input type="checkbox"/>
4. Date this designation approved , submitted, or planned for submission: 10/26/10
5. If approved, will this designation constitute a (select one) <input type="checkbox"/> New Designation Plan <input checked="" type="checkbox"/> Revision of a previously-approved Designation Plan?
6. Number of units affected: 97
7. Coverage of action (select one) <input type="checkbox"/> Part of the development <input checked="" type="checkbox"/> Total development

Designation of Public Housing Activity Description
1a. Development name: Belle Vernon Apartments
1b. Development (project) number: PA 15-16
2. Designation type: Occupancy by only the elderly <input checked="" type="checkbox"/> Occupancy by families with disabilities <input type="checkbox"/> Occupancy by only elderly families and families with disabilities <input type="checkbox"/>
3. Application status (select one) Approved; included in the PHA's Designation Plan <input checked="" type="checkbox"/> Submitted, pending approval <input type="checkbox"/> Planned application <input type="checkbox"/>
4. Date this designation approved , submitted, or planned for submission: 10/26/10
5. If approved, will this designation constitute a (select one) <input type="checkbox"/> New Designation Plan <input checked="" type="checkbox"/> Revision of a previously-approved Designation Plan?
6. Number of units affected: 150
7. Coverage of action (select one) <input type="checkbox"/> Part of the development <input checked="" type="checkbox"/> Total development

Designation of Public Housing Activity Description
1a. Development name: South Hill Terrace
1b. Development (project) number: PA 15-5
2. Designation type: Occupancy by only the elderly <input checked="" type="checkbox"/>

Occupancy by families with disabilities <input type="checkbox"/> Occupancy by only elderly families and families with disabilities <input type="checkbox"/>
3. Application status (select one) Approved; included in the PHA's Designation Plan <input checked="" type="checkbox"/> Submitted, pending approval <input type="checkbox"/> Planned application <input type="checkbox"/>
4. Date this designation approved , submitted, or planned for submission: 10/26/10
5. If approved, will this designation constitute a (select one) <input type="checkbox"/> New Designation Plan <input checked="" type="checkbox"/> Revision of a previously-approved Designation Plan?
6. Number of units affected: 18 7. Coverage of action (select one) <input checked="" type="checkbox"/> Part of the development <input type="checkbox"/> Total development

Designation of Public Housing Activity Description
1a. Development name: East View Terrace 1b. Development (project) number: PA 15-10
2. Designation type: Occupancy by only the elderly <input checked="" type="checkbox"/> Occupancy by families with disabilities <input type="checkbox"/> Occupancy by only elderly families and families with disabilities <input type="checkbox"/>
3. Application status (select one) Approved; included in the PHA's Designation Plan <input checked="" type="checkbox"/> Submitted, pending approval <input type="checkbox"/> Planned application <input type="checkbox"/>
4. Date this designation approved , submitted, or planned for submission: 10/26/10
5. If approved, will this designation constitute a (select one) <input type="checkbox"/> New Designation Plan <input checked="" type="checkbox"/> Revision of a previously-approved Designation Plan?
6. Number of units affected: 12 7. Coverage of action (select one) <input checked="" type="checkbox"/> Part of the development <input type="checkbox"/> Total development

Designation of Public Housing Activity Description
1a. Development name: Clarence Hess Terrace 1b. Development (project) number: PA 15-15
2. Designation type: Occupancy by only the elderly <input checked="" type="checkbox"/> Occupancy by families with disabilities <input type="checkbox"/> Occupancy by only elderly families and families with disabilities <input type="checkbox"/>
3. Application status (select one)

Approved; included in the PHA's Designation Plan <input checked="" type="checkbox"/> Submitted, pending approval <input type="checkbox"/> Planned application <input type="checkbox"/>
4. Date this designation approved , submitted, or planned for submission: 10/26/10
5. If approved, will this designation constitute a (select one) <input type="checkbox"/> New Designation Plan <input checked="" type="checkbox"/> Revision of a previously-approved Designation Plan?
6. Number of units affected: 11
7. Coverage of action (select one) <input checked="" type="checkbox"/> Part of the development <input type="checkbox"/> Total development

Designation of Public Housing Activity Description
1a. Development name:
1b. Development (project) number:
2. Designation type: Occupancy by only the elderly <input type="checkbox"/> Occupancy by families with disabilities <input type="checkbox"/> Occupancy by only elderly families and families with disabilities <input type="checkbox"/>
3. Application status (select one) Approved; included in the PHA's Designation Plan <input type="checkbox"/> Submitted, pending approval <input type="checkbox"/> Planned application <input type="checkbox"/>
4. Date this designation approved, submitted, or planned for submission:
5. If approved, will this designation constitute a (select one) <input type="checkbox"/> New Designation Plan <input type="checkbox"/> Revision of a previously-approved Designation Plan?
6. Number of units affected:
7. Coverage of action (select one) <input type="checkbox"/> Part of the development <input type="checkbox"/> Total development

Community Service and Self-Sufficiency/ Safety and Crime Prevention

2011-2012

AMP 1 – Phil Jones

Community Service and Self-Sufficiency

(1) Food bank: All the senior hi-rises have Food bank once a month.

Computer labs: Three of our four hi-rises have computer labs.

- a. Mulligan has two computers.
- b. White Swan has four computers.
- c. Marshall has five computers.

Meals on wheels: All the senior hi-rises have meals on wheels.

Tenant council office space.

- a. Mulligan uses the community hall to conduct business.
- b. White Swan tenant council shares unit #314 with Medi Health Services.
- c. Marshall uses the community hall to conduct business & also has a Tenant council office.
- d. Belle Vernon uses the community hall to conduct business.

(2)

a. The Senior hi-rises have few tenants that need to comply with the Community Service requirements. Most are too old, handicapped or are working.

b. I do have some tenants on food stamps but virtually nobody on any welfare programs.

Safety and Crime Prevention:

The Senior hi-rises have very, very few incidents of crime. The buildings all have secure entry systems where the only way anybody can get in is if they're let in.

The best measure to insure the safety of our residents is to have a constant police presence. We have a contract with the Uniontown Police Department to patrol Marshall Manor & White Swan & it's been a great deterrent. Also Mulligan Manor & Belle Vernon have contracts with the local police departments & our tenants themselves serve as a deterrent so there are few problems with crime.

AMP 2 – Jim Claar

Community Service and Self-Sufficiency

Food Bank – Bierer Wood Acres Tenant Council has a food bank once a month for the residents of Bierer Wood Acres. Tenants come to help set up in the Community Room by getting the foods displayed on tables so the residents can come in and line up to get what they need. This is a great program for our tenants.

Computer Lab – We do have a computer lab at Bierer Wood Acres. It is currently in need of repair which I am looking into at this point. Tenants come in to do research and the kids use it to help with their homework.

Lunch Program – We have had lunch programs in the past and will look at having another this summer. This helps the kids who are involved in school programs in the summer to come over and get a nutritious lunch.

Tenant Council – We have a Tenant Council here at Bierer Wood Acres. They have bake sales, lunches and soda pop sales to raise money for parties for the kids. This includes all the Holiday parties and Birthday celebrations. We have an extra room by the Community Room for the Tenant Council office. The Tenant Council also provides a newsletter that goes out once a month to the residents. It tells of the upcoming events and even has a section called “News from the Manager”.

Income changes:

Changes resulting from welfare programs are worked on a case by case situation. If the tenant meets certain requirements, they can be placed in our EID Program. This enables the tenant rent to be excluded 100% for the first year and 50% the second year. The tenant has 48 months to complete the 24 month period. This program is to help the tenant get on their feet and to achieve a level where they can be self-sufficient. Documentation is kept in the tenant file. Community Service is a program that if a tenant does not meet certain criteria, they are to do eight hours of Community Service per month with an organization that will let them do it. We have a list of places that tenants can contact to do their Community Service. A form is kept in the tenant file that keeps track of their time if they qualify.

AMP 4 - Denny Barclay

Community Service and Self-Sufficiency

1. (Programs) I have food bank at Ft Mason and Outcrop, otherwise, there are no organized programs operating in this AMP.
2. (Requirements) A trite and cliché answer to this would be "I will follow the Lease and the ACOP" what other answer are you expecting?

Safety and Crime Prevention:

- a. There is always a drug and crime problem, to some extent, in any community; public housing is no different. Since there is no funding available to utilize outside involvement, any plan must be low cost and voluntary.
- b & c. Any crime prevention plans must involve the local police department if they have any hope of succeeding. AMP 4 is in ongoing contact with the police departments in Masontown and Fairchance to both identify problems and strategies needed to fix and

prevent them from reoccurring. These local department have agreed to provide monthly statistics on crime both in our areas and the areas surrounding us, so that we can gauge effectiveness of our efforts.

AMP 5 – Dede Cole

Community Service and Self-Sufficiency

IS REQUIRED OF ALL OUR ELIGIBLE TENANTS. THEY ARE REQUIRED TO TURN IN A WORK SCHEDULE VERIFYING THEY ARE DOING THEIR COMMUNITY SERVICE. ALL TENANTS ARE RECERTIFIED EACH YEAR, WITH ALL DOCUMENTATION KEPT IN THEIR FILE.

SITE PROGRAMS-

SOUTH HILL TERRACE- HAS FOOD PANTRY ONCE MONTHLY, AFTER SCHOOL PROGRAM AND COMPUTER LAB FOR THE CHILDREN.

SNOWDEN TERRACE- RENDU SERVICES PROVIDES AFTER SCHOOL PROGRAM AND COMPUTER ACCESSIBILITY FOR THE CHILDREN.

MARION VILLA- RENDU SERVICES PROVIDES AFTER SCHOOL PROGRAM AND COMPUTER ACCESSIBILITY FOR THE CHILDREN.

SAFETY AND CRIME PREVENTION

WE PRESENTLY WORK WITH OUR LOCAL POLICE DEPARTMENTS, WHO CONTACT US IF THEY COME TO ANY OF OUR UNITS FOR SERIOUS OUR REPEATED PROBLEMS. THIS INFORMATION IS KEPT IN THE TENANT FILE, AND EVICTION IS SOUGHT IF PROBLEM CONTINUES. WE DO REQUEST MONTHLY BREAKDOWN OF EACH SITES POLICE ACTIVITY. THE LOCAL POLICE DO CONTACT US OF ANY MAJOR SITE PROBLEMS, BUT HAVE NOT BEEN DILIGENT ABOUT GETTING US THE MONTHLY SITE POLICE ACTIVITY REPORT. WE HAVE CONTACTED THE LOCAL POLICE DEPARTMENTS MULTIPLE TIMES CONCERNING THIS, WITH VERY LITTLE RESPONSE.

Community Service and Self-Sufficiency/Safety and Crime Prevention AMP 2- James Claar

Community Service and Self Sufficiency:

- Biererwood Acres has a computer lab that is open for the tenants to use for various reasons. Many have taken the opportunity to use this for education and job openingd in the community.
- We have had a Tenant Council here at Biererwood for the past three years. They have had bake sales,lunches, and a candy store to raise money for children functions. Recently the members have submitted a request to disband the Tenant Council citing lack of participation.

Safety and Crime Prevention:

- AMP 2 has a contract with the Uniontown Police Department to do above base-line patrols in our area. The police do extra patrols in East View, Sembower Terrace,and Scattered Sites. We receive reports on a monthly basis and it details any crime in our area. This has been a tremendous help in our eviction process. Although the crime will never go away, I believe that the total crime has been reduced.

James Claar
AMP 2 Housing Administrator

Community Service and Self-Sufficiency / Safety and Crime Prevention

Amp – 4 Dennis Barclay

Community Service and Self Sufficiency

1. (Programs) I have food banks at Ft Mason and Outcrop I, otherwise, there are no other organized programs operating in this Amp.
2. (Requirements) Amp 4 follows the letter and regulation requirements found in our lease.

Safety and Crime Prevention

- a. Amp 4 is currently contracting with the Masontown police and the Fairchance Borough police for above baseline patrols within our communities. Masontown has also purchased a drug sniffing K-9 that is frequently used in our community to curb drug sales and discourage loitering.
- b. In addition to the aforementioned police patrols, these police department are now submitting monthly crime statistics to the housing authority for the purpose of tracking ongoing crime, and its possible reduction.

COMMUNITY SERVICE AND SELF-SUFFICIENCY

Is required of all our eligible tenants. They are required to turn in a work schedule verifying there are doing their community service. All tenants are recertified each year, with all documentation kept in their file.

SITE PROGRAMS

South Hill Terrace- Has a food pantry once monthly. An after school program and computer lab is provided for the children.

Snowden Terrace- Rendu Services provides an after school program and computer accessibility for the children.

Marion Villa- Rendu Services provides an after school program and computer accessibility for the children.

SAFETY AND CRIME PREVENTION

We presently work with our local police departments, who contact us if they come to any of our units for serious or repeated problems. This information is kept in the tenant file, and eviction is sought if problems continue. We do request monthly breakdown of each sites police activity. The local police do contact us of any major site problems, but they have not been diligent about getting us the monthly site police activity report. We have contacted their departments multiple times concerning this, with very little response. We have provided some above base line police services at South Hill Terrace and Snowden. We are presently facing serious funding reductions, and are unsure if we will be able to continue these extra services.

Fayette County Housing Authority
PET OWNERSHIP POLICY

A. Pet Rules

The following rules shall apply for the keeping of pets by Residents living in the units operated by the Fayette County Housing Authority (FCHA). These rules do not apply to service or companion animals verified to be needed by a person with a documented disability.

1. Common household pets as authorized by this policy means a domesticated animals, such as cats, dogs, fish, birds, rodents (including rabbits) and turtles, that are traditionally kept in the home for pleasure rather than for commercial purposes.
2. Each resident family will be allowed to house only one (1) animal at any time. Visiting guests with pets will not be allowed.
3. Residents will register their pet with the FCHA **BEFORE** it is brought onto the FCHA premises, and will update the registration annually. The registration will include:
 - Information sufficient to identify the pet and to demonstrate that it is a common household pet and a picture;
 - A certificate signed by a licensed veterinarian or a State or Local Authority empowered to inoculate animals, stating that the pet has received all inoculations required by applicable State and Local Law;
 - The name, address, and telephone number of one or more responsible parties who will care for the pet if the pet owner dies, is incapacitated, or is otherwise unable to care for the pet.
 - The registration will be updated annually at the annual re-examination of Residents' income.
 - A statement indicating that the pet owner has read the pet rules and agrees to comply with them;
 - The FCHA may refuse to register a pet if:
 - a.) The pet is not a common household pet;
 - b.) The keeping of the pet would violate any applicable house pet rule;
 - c.) The pet owner fails to provide complete pet registration information;
 - d.) The pet owner fails annually to update the pet registration;
 - e.) The FCHA reasonably determines, based on the pet owners' habits and practices and the pet's temperament, that the pet owner will be unable to keep the pet in compliance with the pet rules and other legal obligations;

f.) Financial ability to care for the pet will not be a reason for the FCHA to refuse to register a pet.

- The FCHA will notify the pet owner if the Authority refuses to register a pet. The notice will:
 - a.) State the reasons for refusing to register the pet;
 - b.) Be served on the pet owner in accordance with procedure outlined in paragraph B1 of this policy; and
 - c.) Be combined with a notice of a pet rule violation if appropriate.
- 4. Cats and dogs shall be limited to small breeds where total weight shall not exceed twenty (20) pounds and total height at the shoulder shall not exceed twelve (12) inches. The size limitations do not apply to service animals.
- 5. No chows, pit bulls, German police dogs, Dobermans, Rottweilers, presa canarios, or any other known fighter breed will be allowed on the premises.
- 6. All cat and dog pets shall be neutered or spayed, and verified by veterinarian, the cost to be paid by the owner. All cats will have to be declawed at the owner's expense. Pet owners will be required to present a certificate of health from their veterinarian verifying all required annual vaccines, initially and at re-examination.
- 7. A non-refundable pet fee of \$100 per bedroom in the pet owner's unit shall be made to the FCHA. Such fee will be a one-time fee (per pet) and shall be used to help cover cost of damages to the unit caused by the pet.
 - Tenants with fish bowls or aquariums under 20 gallons will be exempted from the security fee as well as the number of animals allowed.
 - Tenants with small (under one pound) caged birds will be exempted from the security fee however only two birds will be allowed in any unit.
 - Snakes, rodents, reptiles or other accepted types of small pets **will not be exempted** from the pet fee requirement nor will the number of animals be waived.
- 8. Pets shall be quartered in the Residents unit.
- 9. Dogs and cats shall be kept on a leash and controlled by a responsible individual when taken outside.
- 10. No doghouses will be allowed on the premises.
- 11. Each resident family will be allowed to house only one (1) animal at any time. Visiting guests with pets will not be allowed. Pets (dogs and cats) shall be allowed to run only on the owner's lawn and owners shall clean up after pet after each time the animal eliminates.

- Litter boxes are required for cats and are to be kept clean.
 - All animal waste must be placed in sealed plastic bags and disposed of in the dumpster (if available) outside the building in an approved garbage can with a lid. No animal waste shall be placed in the trash chutes.
 - Any tenant having a dog or cat shall obtain some kind of “scooper” to clean up after the pet outdoors, and is responsible for placing all waste in sealed plastic bags and depositing such material in the dumpster.
 - The tenant is required to take whatever action is necessary to insure that their pet does not bring any flea, tick or other pest into the building.
 - A fee of \$25.00 (Twenty Five Dollars) per occurrence, shall be charged to the tenant for the removal of pet waste from either the interior or exterior of the building by Authority personnel.
12. All County Ordinances concerning pets will be complied with.
 13. Pets shall be removed from the premises when their conduct or condition is duly determined to constitute a nuisance or a threat to the health and safety of the pet owner or other occupants of the FCHA in accordance with paragraph B3 below.
 14. Birds must be kept in regular birdcages and not allowed to fly throughout the unit.
 15. Dishes or containers for food and water will be located within the owner's apartment. Food and/or table scraps, will not be deposited on the owners porches or yards.
 16. Residents will not feed or water stray animals or wild animals.
 17. Pets will not be allowed on specified common areas (under clotheslines, social rooms, office, maintenance space, etc.).
 18. Each resident family will be responsible for the noise or odor caused by their pet. Obnoxious odors can cause health problems and will not be tolerated.
 19. No Housing Authority personnel will enter any apartment containing a dog or cat until the tenant has physical control of the animal.
 20. The tenant shall be responsible for the arranging for burial or other disposal, off the premises of pets in the event of the death of the pet. Under no circumstance will any pet be disposed of in Authority dumpsters or tenant owned garbage cans.

B. Pet Violation Procedure

1. **NOTICE OF PET RULE VIOLATION** When the FCHA determines on the basis of objective facts supported by written statements, that a pet owner has violated one or more of these rules governing the owning or keeping

of pets, the FCHA will:

- Serve a notice of the pet rule violation on the owner by sending a letter by first class mail, properly stamped and addressed to the Resident at the leased dwelling unit, with a proper return address, or
 - serve a copy of the notice on any adult answering the door at the Residents' leased dwelling unit, or if no adult responds, by placing the notice under or through the door, if possible, or else by attaching the notice to the door;
2. The notice of pet rule violation must contain a brief statement of the factual basis for the determination and the pet rule or rules alleged to be violated;
 3. The notice must state that the pet owner has ten (10) days from the effective date of service of notice to correct the violation (including, in appropriate circumstances, removal of the pet) or to make a written request for a meeting to discuss the violation, (the effective date of service is that day that the notice is delivered or mailed, or in the case of service by posting, on the day that the notice was initially posted);
 4. The notice must state that the pet owner is entitled to be accompanied by another person on his or her choice at the meeting;
 5. The notice must state that the pet owners' failure to correct the violation, to request a meeting, or to appear at a requested meeting may result in initiation of procedures to terminate the pet owners' lease.
 6. **PET RULE VIOLATION MEETING:** If the pet owner makes a timely request for a meeting to discuss an alleged pet rule violation, the FCHA shall establish a mutually agreeable time and place for the meeting to be held within fifteen (15) days from the effective date of service of the notice of pet rule violation (unless the FCHA agrees to a later date).
 - The FCHA and the pet owner shall discuss any alleged pet rule violation and attempt to correct it and reach an agreeable understanding.
 - The FCHA may, as a result of the meeting, give the pet owner additional time to correct the violation.
 - Whatever decision or agreements, if any, are made will be reduced to writing, signed by both parties, with one copy for the pet owner and one copy placed in the FCHA's Resident file.
 7. **NOTICE OF PET REMOVAL:** If the pet owner and the FCHA are unable to resolve the pet rule violation at the pet rule violation meeting, or if the FCHA determines that the pet owner has failed to correct the pet rule violation within any additional time provided for this purpose under paragraph 6 above (or at the meeting, if appropriate), requiring the pet owner to remove the pet. This notice must:
 - Contain a brief statement of the factual basis for the determination and

the pet rule or rules that have been violated;

- State that the pet owner must remove the pet within ten (10) days of the effective date of service of notice or pet removal (or the meeting, if the notice is served at the meeting);
- State the failure to remove the pet may result in initiation of procedures to terminate the pet owners' residency.

8. **INITIATION OF PROCEDURE TO TERMINATE PET OWNERS**

RESIDENCY: The FCHA will not initiate procedure to terminate a pet owners' residency based on a pet rule violation unless:

- The pet owner has failed to remove the pet or correct the pet rule violation within the applicable time period specified in paragraph 3b above;
- The pet rule violation is sufficient to begin procedures to terminate the pet owners' residency under the terms of the lease and application regulations,
- Provisions of Resident's Lease, Section XIV: Termination of Lease will apply in all cases.

C. Protection of the Pet

If the health or safety of a pet is threatened by the death or incapacity of the pet owner, or by other factors that render the pet owner unable to care for the pet, the FCHA may:

- Contact the responsible party or parties listed in the registration form and ask that they assume responsibility for the pet;
- If the responsible party or parties are unwilling or unable to care for the pet, the FCHA may contact the appropriate State or Local Authority (or designated agent of such Authority) and request the removal of the pet;
- If the FCHA is unable to contact the responsible parties despite reasonable efforts, action as outlined above will be followed; and
- If none of the above actions reap results, the FCHA may enter the pet owners' unit, remove the pet, and place the pet in a facility that will provide care and shelter until the pet owner or a representative of the pet owner is able to assume responsibility for the pet, but no longer than thirty (30) days. The cost of the animal care facility provided under this section shall be borne by the pet owner.

D. NUISANCE OR THREAT TO HEALTH OR SAFETY

Nothing in this policy prohibits the FCHA or the Appropriate City Authority from requiring the removal of any pet from the FCHA property. If the pet's

conduct or condition is duly determined to constitute, under the provisions of State or Local Law, a nuisance or a threat to the health or safety or other occupants of the FCHA property or of other persons in the community where the project is located.

E. APPLICATION OF RULES

1. Pet owners will be responsible and liable for any and all bodily harm to other residents or individuals. Destruction of personal property belonging to others caused by owner's pet will be the moral and financial obligation of the pet owner.
2. All pet rules apply to resident and/or resident's guests.

Appendix I

Pet Agreement

1. Management considers the keeping of pets a serious responsibility and a risk to each resident in the apartment. If you do not properly control and care for a pet, you will be held liable if it causes any damages or disturbs other residents.
2. Conditional Authorization for Pet. You may keep the pet that is described below in the apartment until Dwelling Lease is terminated. Management may terminate this authorization sooner if your right of occupancy is lawfully terminated or if you or your pet, your guests or any member of your household violate any of the rules contained in the FCHA's Pet Policy or this Agreement.
3. Pet Fee. The Pet Fee will be \$100 times the number of bedrooms in your unit for your current pet. The Pet Fee is a one-time, non-refundable charge.
 - If, at any time in the future, this pet is replaced by another animal, another one-time fee will be charged for that animal.
 - This fee will be used to pay reasonable expenses directly attributable to the presence of the pet in the complex, including but not limited to, the cost of repairs and replacement to, and fumigation of, the apartment.
4. Liability Not Limited. The fee under this Pet Agreement does not limit resident's liability for property damages, cleaning, deodorization, defleaing, replacements, or personal injuries.
5. Description of Pet. You may keep only one pet as described below. The pet may not exceed twelve (12) inches in height at the shoulder and twenty (20) pounds in adult weight. You may not substitute other pets for this one without amending this agreement.

Pet's Name _____ Type _____
Breed _____ Color _____ Weight _____ Age _____
Housebroken? _____ City of License _____ License No. _____
Date of last Rabies shot _____

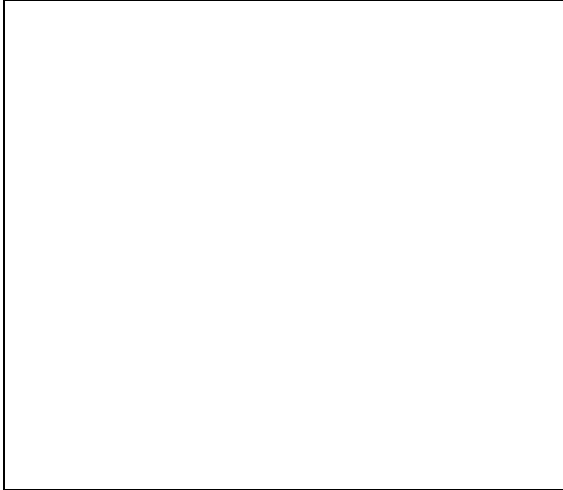
Name, address and phone number of person able to care for pet in case of resident's permanent or temporary inability to care for animals

Name _____
Address _____

Phone_____

Appendix 2
Pet Policy Certification

Attach photo of Pet here



By _____

Title _____

Fayette County Housing Authority

Resident _____

Resident _____

Resident _____

I have read, fully understand and will abide by the rules and regulations contained in the Fayette County Housing Authority Pet Policy and in this Pet Agreement.

Appendix 3

Pet Policy Rules Violation Notice

DATE: _____

—

TIME: (IF DELIVERED) _____ A.M. / P.M.

TO: _____

—

NAME OF RESIDENT: _____

—

STREET ADDRESS: _____

CITY, STATE, ZIP
CODE _____

PET NAME OR TYPE: _____

This notice hereby informs you of the following pet rule violation:

Factual Basis for Determination of Violation: _____

As pet owner you have ten (10) calendar days from the date shown on this notice (date notice delivered or mailed) in which to correct the violation or make a written request for a meeting to discuss the violation.

As pet owner you are entitled to be accompanied by another person of your choice at the meeting.

Failure to correct the violation, to request a meeting, or to appear at the requested meeting may result in initiation of procedures to terminate your tenancy.

Executive Director



McCLURE & WOLF

CERTIFIED PUBLIC ACCOUNTANTS

Established 1926

538 MORGANTOWN STREET
UNIONTOWN, PA 15401-5412

TELEPHONE 724-437-2000
FAX 724-438-8566

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JAMES E. CHURILLA, CPA
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IRVIN WOLF, PA
1913-1986

NED L. McCLURE, CPA
1918-2006

Board of Housing Commissioners
Fayette County Housing Authority
624 Pittsburgh Road
Uniontown, PA 15401

INDEPENDENT AUDITORS' REPORT

We have audited the accompanying financial statements of the business-type activities of the Fayette County Housing Authority (the Authority) as of and for the year ended June 30, 2010, which collectively comprise the Authority's basic financial statements, as listed in the table of contents. These financial statements are the responsibility of the Authority's management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with U.S. generally accepted auditing standards and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and the significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the business-type activities of the Authority as of June 30, 2010, and the respective changes in financial position and the cash flows thereof for the year then ended in conformity with U.S. generally accepted accounting principles.

In accordance with *Government Auditing Standards*, we have also issued our report dated March 25, 2011, on our consideration of the Authority's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of those reports are to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing and not to provide an opinion on the internal control over financial reporting or on compliance. Those reports are an integral part of an audit performed in accordance with *Government Auditing Standards* and should be read in conjunction with this report in considering the results of our audit.

The Management's Discussion and Analysis on Pages 3 through 14 is not a required part of the financial statements but is supplementary information required by the Governmental Accounting Standards Board. We have applied certain limited procedures, which consisted principally of inquiries of management regarding the methods of measurement and presentation of the required supplementary information. However, we did not audit the information and express no opinion on it.

Our audit was conducted for the purpose of forming an opinion on the financial statements taken as a whole. The accompanying schedule of expenditures of federal awards on page 30 is presented for purposes of additional analysis as required by U.S. Office of Management and Budget Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*, and is also not a required part of the financial statements of the Authority. Such information and the schedule of expenditures of federal awards have been subjected to the auditing procedures applied in the audit of the financial statements and, in our opinion, is fairly stated, in all material respects, in relation to the financial statements taken as a whole.

A handwritten signature in black ink, reading "McClure & Wolf". The signature is written in a cursive, flowing style.

March 25, 2011

Asset Management

In order to prepare for another decade of positive change FCHA embarked on a new Strategic Plan in 2009. The Authority procured the services of a consultant to design and facilitate the strategic planning process. A community-Wide planning workshop was held on May 27, 2009 which included staff, community stakeholders, including local government, county government, public agencies and non-profit organizations for their input through a community-wide internet survey designed to measure public perception of FCHA. On July 16, 2009 a strategic planning workshop was held with FCHA staff. The entire staff was given an assignment to discuss organizational change, organizational strength, weakness and threats and organizational opportunities and a post workshop staff survey was completed during the period of August 1st to the 14th. On December 11, 2009 a planning workshop was held with FCHA Board of Directors and Senior Management to evaluate the Housing Authority based on eight specific characteristics of high performing organizations. On March 23, 2010 the final planning workshop was held with the Board of Directors to review the final draft of the Strategic Plan. On April 8, 2010 the Board of Directors approved the implementation of the 2010-2020 Strategic Plan. The FCHA will use this plan to guide its next ten years. Because change is an absolute certainty, we will revisit and evaluate the plan on regular intervals. Attached are the strategic goals.

FAYETTE COUNTY HOUSING AUTHORITY VISION AND VALUES

- N To serve every resident and prospective resident with the dignity and respect that they deserve
- N To provide a diverse range of housing products and supportive services that are affordable to a broader range of residents
- N To foster positive and supportive working relationships among our employees, one in which information flows predictably both up and down the organizational chain of responsibility
- N To create a work environment where employees achieve fulfillment in improving the quality of life of our residents
- N To promote increased public awareness and understanding of our products and services
- N To be supportive neighbors to those who live and/or work in proximity to our properties

Insert new
FCHA logo

Strategic Goals										Responsibility for Implementation	Timeframe for Implementation										
											2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
A. New development, ownership, and management initiatives																					
1.	Acquire and/or extend project based HCV to the troubled Heritage elderly tax credit development in Uniontown.																				
2.	Undertake a feasibility study to determine the highest and best use of the FCHA-owned development in Perryopolis.																				
3.	Explore the feasibility of converting vacant public housing units or developing new housing for nurses on under-utilized land at Blenwood.																				
4.	Procure the services of a developer to evaluate FCHA's public housing stock to determine economic / physical viability and future course of action for each development.																				
5.	Develop additional 1-bedroom apartment units (not public housing units) in areas of market opportunity for non-elderly households. (this goal is envisioned as a new non-profit initiative).																				
6.	To the greatest extent possible, specify standardized materials used in construction.																				
7.	Move increasingly towards the use of green construction techniques in all new developments.																				
8.	Improve public housing resident's sense of securing and well-being. This may include a resident crime watch initiative and the installation of security cameras in problem areas.																				
9.	Improve the image, curb appeal, and marketability of all public housing developments through entrance signage, landscaping, lighting, and other site enhancements.																				
B. Improving management efficiency																					
1.	Create a management succession plan; recruit and hire talented younger staff to serve as the next generation of leaders at FCHA.																				
2.	Boost PH occupancy rates; establish a communication mechanism such that the admissions staff is informed immediately by the site managers when a unit has been vacated and the date when it will be available for occupancy.																				
3.	Train staff to provide tax credit management services at Laurel Estates and Heritage developments.																				
4.	Use staff talent to "shift out new leases"; reduce the Authority's dependence on federal funds; explore mixed-finance opportunities.																				
5.	Establish a stated goal and a procedures manual to reduce "key to key" public housing turnover time.																				
6.	Utilize Internet-based research tools to perform background checks on each person named in the lease, not just the head of household.																				
7.	Develop a plan to recruit new Section 8 landlords who are willing to rent 3- and 4-bedroom units to HCV holders																				
8.	Establish minimum training requirements as a pre-requisite for property management and maintenance positions; incorporate these requirements into job descriptions.																				
C. Improving corporate culture and employee job satisfaction																					
1.	Improve internal communication and reinforce a culture of fairness, transparency, and trust by expanding agency-wide staff meetings and/or department meetings to explain the strategic plan; explain the rationale behind why some of the employees' suggestions will not be implemented; announce new development or redevelopment initiatives; explain other changes that are being considered BEFORE they are formally announced; invite staff feedback BEFORE decisions are made; and to reassure staff that they are free to express their opinion without fear of negative repercussions.																				
2.	Establish a motto and continually repeat the overarching goal of customer satisfaction and quality housing "we strive to achieve a living environment in which every FCHA employee would feel comfortable housing a family member in one of FCHA's dwelling units."																				
D. Legal / organizational initiatives																					
1.	Create a new non-profit affiliate or instrumentality to explore and carry out real estate development, ownership, and management opportunities.																				
2.	Review FCHA by-laws; amend as necessary.																				
E. Improving external communication, marketing and promotion																					
1.	Improve external communication by upgrading FCHA's online presence through the creation of an updated website.																				
2.	Undertake a public relations campaign to improve the public image of FCHA (newsletters, open houses, virtual tours of housing units, etc.).																				
3.	Prepare and disseminate an annual report by March 30 for the preceding year; measure the Authority's success in implementing the strategic plan; redouble efforts to focus on slower-moving activities and initiatives.																				
4.	Encourage senior staff to become more involved in local boards and commissions that deal with housing and human services; achieve better integration of FCHA into the mainstream of housing and supportive services in Fayette County and the region.																				
5.	Create an online application process for public housing and section 8 (to supplement but NOT REPLACE the existing date and time application process).																				
6.	Provide Wi-Fi Internet access for all public housing developments and new development projects.																				
F. Expand resident initiatives																					
1.	Expand involvement in homeless activities; work with other agencies to move homeless individuals and families from the street into shelters, transitional housing, public housing, and other forms of permanent supportive housing.																				
2.	Expand the creation of housing for difficult-to-house populations, including non-elderly disabled persons.																				
3.	Explore the introduction of non-residential uses to public housing developments, including med-express facilities, life centers, and pharmacies.																				
4.	Provide expanded activities for elderly and youth, including mobile health screening services (Fay Penn)																				
5.	Provide expanded child care services; explore a relationship with a child care agency that provides transportation to FCHA youth.																				
6.	Support youth in their desire to attain a quality education; provide scholarships to outstanding performers.																				

FAYETTE COUNTY HOUSING AUTHORITY

Violence Against Women Act Policy (VAWA)

[Public Law 109-162 and Technical Amendments Public Law 109-271]

APPROVED: Board of Directors – February 11, 2007

ACKNOWLEDGED: Department of HUD – February 28, 2007

The Violence Against Women Act (VAWA) was enacted because of congressional findings which assert that “women and families across the Country are being discriminated against, denied access to, and even evicted from public and subsidized housing because of their status as victims of domestic violence”. The findings also note a strong link between domestic violence and homelessness, and found that abusers frequently manipulate finances in order to control their partners, so that victims often lack steady income, credit history, landlord references, and a current address, which would be necessary to obtain permanent housing. This causes the victim to return to the abuser because they cannot find permanent housing. Victims can be women, men, or children.

A. PURPOSE

1. To reduce domestic violence, dating violence, sexual assault, and stalking;
2. To enhance victim safety and prevention;
3. To break the link between domestic violence and homelessness, and prevent homelessness for the victims of such acts;
4. To help victims obtain or maintain housing, and create long-term housing solutions for victims;
5. To protect victims who reside in the Public Housing and Section 8 Housing Programs of the Fayette County Housing Authority;
6. To build collaborations among victim service providers;
7. To ensure victims have access to the criminal justice system without jeopardizing their housing;
8. To assist the Fayette County Housing Authority to respond appropriately to the violence while maintaining a safe environment for Housing Authority Employees, Public Housing Tenants, Section 8 Housing Participants, and Public Housing and Section 8 Housing Applicants,

This Policy will assist the Fayette County Housing Authority in providing rights under the Violence Against Women Act to its Public Housing and Section 8 Housing

Applicants, Public Housing Residents, Section 8 Housing Participants, and any other program participants.

2. MISSION STATEMENT

It is the Policy of the Fayette County Housing Authority to comply with the Violence Against Women Act (VAWA) [Public Law 109-162 and Technical Amendments Public Law 109-271]. The Fayette County Housing Authority will not discriminate against a Public Housing or Section 8 Applicant, Public Housing Resident, Section 8 Participants, and any other program participants on the basis of the rights or privileges provided under VAWA.

This Policy is incorporated into and made a part of the Fayette County Housing Authority's Admissions and Continued Occupancy Policy and the Section 8 Administrative Plan, and applies to all Housing Authority Programs.

3. DEFINITIONS

The definitions in this Section apply only to this Policy.

- A. Confidentiality:** Means that the Fayette County Housing Authority will not enter information provided to the Housing Authority into a shared database or provide this information to any related entity, except as specifically stated in Section 5 of this Policy.
- B. Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim, based on length of relationship, type of relationship, and frequency of interaction between the persons.
- C. Domestic Violence:** Felony or misdemeanor, crimes of violence committed by:
 - a. Current or former spouse of the victim, or person similarly situated to a spouse of the victim;
 - b. Person with whom victim shares a child in common;
 - c. Person who is cohabitating with or has cohabitated with the victim; or
 - d. Any other person.
- D. Homeless, Homeless Individual, and Homeless Person:** A person who lacks a fixed, regular and adequate nighttime residence. Also includes:
 - A person who is sharing the housing of other persons due to loss of housing, economic hardship or a similar reason;

- A person living in a motel, hotel, trailer park, or campground due to lack of alternative adequate accommodations;
- A person living in emergency or transitional shelter;
- A person abandoned in a hospital;
- A person awaiting foster care placement; or
- A person who has a primary nighttime residence that is a public or private place not designated for or ordinarily used as a regular sleeping accommodation for human beings.

E. Involuntary Displacement: Occurs when a victim has vacated or will have to vacate their housing unit because of domestic violence, dating domestic violence, or stalking against the victim.

F. Immediate Family Member: A spouse, parent, brother, sister, or child of a victim or an individual to whom the victim stands in loco parentis (guardianship), or any other person living in the household of the victim and related to the victim by blood and marriage.

G. Long-Term Housing: Housing that is sustainable, accessible, affordable and safe for the foreseeable future which the person rents or owns, is subsidized by a voucher or other program as long as the person meets the eligibility requirements of the program, or is directly provided by the Fayette County Housing Authority and is not time limited and the person meets the eligibility requirements of the program.

H. Perpetrator: A person who commits an act of domestic violence, dating domestic violence, sexual assault, or stalking against a victim.

I. Sexual Assault: Causing another person to engage in a sexual act by threatening or placing that other person in fear, or someone who engages in a sexual act with another person if that person is incapable of appraising the nature of the conduct, or physically incapable of declining participation in, or communicating unwillingness to engage in the sexual act.

J. Stalking:

- To follow, pursue or repeatedly commit acts with the intent to kill, injure, harass or intimidate the victim;
- To place under surveillance with the intent to kill, injure, harass or intimidate the victim;
- In the course of, or as a result of such following, pursuit, surveillance, or repeatedly committed acts, to place the victim in reasonable fear of the death of, or serious bodily injury to the victim; or
- To cause substantial emotional harm to the victim, a member of the immediate family of the victim, or the spouse or intimate partner of the victim.

5. CERTIFICATION AND CONFIDENTIALITY

The person shall provide complete and accurate certifications to the Fayette County Housing Authority within 14 business days after the Housing Authority requests, in writing, that the person completes the certifications. If the person does not provide a complete and accurate certification within the 14 business days, the Housing Authority may take action to deny or terminate participation or tenancy.

The HUD-Approved Certification, Form HUD-50066 must be completed for each incident(s) that a person is claiming the abuse. The person shall certify the date, time and description of the incident(s), that the incident(s) are bona fide incidents of actual or threatened abuses and meet the requirements of VAWA and this Policy. The person shall provide information to identify the perpetrator, including, but not limited to, the name and, if known, all alias names, date of birth, address, contact information such as postal address, telephone, or other information. A copy of Form HUD-50066 is attached hereto, and made a part hereof.

A person who is claiming victim status shall provide to the Fayette County Housing Authority documentation signed by the victim and an employee, agent, or volunteer of a victim service provider, an attorney, or a medical professional from whom the victim has sought assistance in addressing domestic violence, dating violence, sexual assault, or stalking or the effects of the abuse, in which the professional attests to their belief that the incident(s) in question are bona fide incident(s) of abuse, or by a federal, state, or local police or court record.

CONFIDENTIALITY

The Fayette County Housing Authority shall keep all information provided to the Housing Authority under this Section confidential. The Housing Authority shall not enter the information into a shared database or provide to any related entity except to the extent that:

- The victim requests or consents to the disclosure in writing;
- The disclosure is required for:
 1. Eviction from Public Housing;
 2. Termination of Section 8 Housing Assistance.
- The disclosure is required by applicable law.

6. APPROPRIATE BASIS FOR DENIAL OF ADMISSION, ASSISTANCE OR TENANCY

- The Fayette County Housing Authority shall not deny participation or admission to a program on the basis of a person's victim status, if the person otherwise qualifies for admission or assistance.
- An incident or incidents of actual or threatened domestic violence, dating violence, sexual assault, or stalking will not be a serious or repeated violation of the lease by victim, and shall not be good cause for denying to a victim admission to a program, terminating Section 8 assistance or occupancy rights, or evicting a tenant.
- Criminal activity directly related to domestic violence, dating violence, sexual assault, or stalking engaged in by a member of a tenant's household or any guest or other person under the tenant's control shall not be cause for termination of assistance, tenancy, or occupancy rights if the tenant or an immediate member of the tenant's family is the victim of domestic violence, dating violence, sexual assault, or stalking.
- The Fayette County Housing Authority or Section 8 Landlord may bifurcate (split into two) a lease to evict, remove, or terminate assistance to any individual who is a tenant or lawful occupant and who engages in criminal acts of physical violence against family members or others without evicting, removing, terminating assistance to or otherwise penalizing the victim of the violence who is also a tenant or lawful occupant.
- The Fayette County Housing Authority or Section 8 Landlord, when notified, shall honor a court order addressing rights of access to or control of the property, including civil protection orders issued to protect the victim and issued to address the distribution or possession of property among the household members when the family breaks up.
- The Fayette County Housing Authority or the Section 8 Landlord shall have the right to evict or terminate assistance to any tenant for any violation of lease not premised on the act or acts of violence against the tenant or a member of the tenant's household. However, the Housing Authority or Section 8 Landlord may not hold a victim to a more stringent standard than any other tenant or tenant family.
- The Fayette County Housing Authority or the Section 8 Landlord shall have the right to evict or terminate assistance, or deny admission to a program if they can show an actual and imminent threat to other tenants, neighbors, guests, their employees, persons providing services to the property, or others if the tenant family is not evicted or terminated from assistance or denied admission.
- The Fayette County Housing Authority or the Section 8 Landlord shall have the right to deny admission, terminate assistance, or evict a person who engages in

criminal acts including, but not limited to, acts of physical violence of stalking against family members or others.

- A Section 8 recipient who moves out of an assisted dwelling unit to protect their health or safety and who is a victim under this Policy and reasonably believes he or she was imminently threatened by harm from further violence if he or she remains in the unit, and has otherwise complied with all other obligations of the Section 8 Housing Choice Voucher Program, may receive a voucher and move to another Section 8 jurisdiction.
- A Public Housing tenant who wants to transfer to protect their health or safety and who is a victim under this Policy and reasonably believes that he or she was imminently threatened by harm from further violence if he or she remains in the unit, and has otherwise complied with all other obligations of the Public Housing Program, may transfer to another Public Housing Unit, or may receive a Section 8 Housing Choice Voucher and moved either within Fayette County or to another Section 8 jurisdiction.

7. ACTIONS AGAINST A PERPETRATOR

The Fayette County Housing Authority may evict, terminate assistance, deny admission to a program or trespass a perpetrator from its property under this Policy. The victim shall take action to control or prevent the domestic violence, dating violence, sexual assault, or stalking. The action may include, but is not limited to:

- Obtaining and enforcing a restraining or no contact order or order for protection against the perpetrator;
- Obtaining and enforcing a defiant trespass against the perpetrator;
- Enforcing the Fayette County Housing Authority's or law enforcement's defiant trespass against the perpetrator;
- Preventing the delivery of the perpetrator's mail to the victim's unit;
- Providing identifying information about the perpetrator.

8. NOTICE TO APPLICANTS, TENANTS, AND SECTION 8 LANDLORDS

The Fayette County Housing Authority shall provide notice to all applicants, participants, tenants, staff, and owners of their rights and responsibilities under this Policy.

9. PREFERENCES

Families who are victims under VAWA will receive a preference in tenant selection in the Fayette County Housing Authority's Public Housing and Section 8 Housing Programs. Families who have been victims of domestic violence, dating violence, sexual assault, or stalking shall provide documentation signed by the victim and an employee, agent, or volunteer of a victim service provider, an attorney, or a medical professional

from whom the victim has sought assistance in addressing domestic violence, dating violence, sexual assault, or stalking or the effects of the abuse, in which the professional attest their belief that the incident(s) in question are bona fide incident(s) of abuse, or federal, state, or local police or court record to establish their victim status under this Policy.

10. REPORTING REQUIREMENTS

The Fayette County Housing Authority shall included in its Five-Year and Annual Plan a copy of the Violence Against Women Act Policy and refer to the goals and services or programs provided to help victims obtain or maintain housing and to prevent the abuse and enhance the safety of victims.

11. CONFLICT AND SCOPE

If this Policy conflicts with any applicable law, regulation, or ordinance, the law, regulation, or ordinance shall control.

12. AMENDMENT

This Policy may be amended when it is reasonably necessary to effectuate the Policy's intent, purpose, or interpretation. Any amendment to this Policy shall be approved by the Board of Directors of the Fayette County Housing Authority and submitted to the U. S. Department of Housing and Urban Development.

County Wide Resident Council

Jan. 3, 2011

F.C.H.A. MAIN OFFICE

The meeting came to order with the pledge to the flag.
Roll call of officers –All officers were present.

The Sec. Report—was read and approved.

Treasurer's Report – was read and approved. The treasurer read the November and December bank statements.

Old business—John Hodge said there is only one printer working in the computer room. Also, the laundry and computer room doors are still not working right.

New business—Mulligan Manor would like a couple more computers.

F.C.H.A. Staff

Jim Claar—The children at East End had their Christmas party at the VFW. Calvary Baptist Church will be getting a new van to pick up and take the residents of White Swan, Marshall Manor, and Bierer Wood Acres to church.

Dave Huston—passed out to the officers of the County Wide a draft of the new by-laws.

Andre Walters—spoke about the upcoming annual and five year plan. He explained the items that would be included in the annual statement and five year plan. The RAB Board was asked if they had any comments and/or suggestions on items or any other items that they would like to see included in the plan. He spoke about the purchase of the Heritage Apartments, the development of Bierer Wood Acres and White Swan Apartments, the Authority's plans to build a new administrative office, and the 504 Handicap Accessibility work at Fort Mason Village and South Hill Terrace. He told everyone to call him or e-mail him with any comments and/or suggestions.

Tom Harkless—The Authority will be closing the real estate deal for the Heritage. The residents should start at the local level and go back to your

tenant council and tell them to make a list of what they need done and e-mail the list to Andre Walters.

The next meeting will be at Marshall Manor on February 7, 2011 at 12:30 p.m.

The meeting was adjourned.

Respectfully submitted by Mary Jo Manning.

Sign-In Sheet
RAB Board Meeting
Annual and Five Year Plan
January 3, 2011 @ 12:30 p.m.

Name	Address
Phil Jones	FCIA
D. C.	FCIA
John Shuler	
Connie Sherry	S.H.T. TREASURER
JEFFREY THORNTON	President
ANDREW WALTERS	FCIA
Dan H.	FCIA
Mary West	151 So Hill Lane
Jeane Scarpini	Mulligan Manor
Sandy Nichols	Mulligan Manor
Blossom Darby	Mulligan Manor
Tom Barlett	FCIA
Steve Middleton	FCIA
Ed Kely	FCIA
Joan Chan	FCIA
Angela Lucas	FCIA
Wanda Manning	White Swan

**PHA Certifications of Compliance
with PHA Plans and Related
Regulations**

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing
Expires 4/30/2011

Resolution No. 2011-04

**PHA Certifications of Compliance with the PHA Plans and Related Regulations:
Board Resolution to Accompany the PHA 5-Year and Annual PHA Plan**

Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairman or other authorized PHA official if there is no Board of Commissioners, I approve the submission of the X 5-Year and/or X Annual PHA Plan for the PHA fiscal year beginning 7/1/11, hereinafter referred to as "the Plan", of which this document is a part and make the following certifications and agreements with the Department of Housing and Urban Development (HUD) in connection with the submission of the Plan and implementation thereof:

1. The Plan is consistent with the applicable comprehensive housing affordability strategy (or any plan incorporating such strategy) for the jurisdiction in which the PHA is located.
2. The Plan contains a certification by the appropriate State or local officials that the Plan is consistent with the applicable Consolidated Plan, which includes a certification that requires the preparation of an Analysis of Impediments to Fair Housing Choice, for the PHA's jurisdiction and a description of the manner in which the PHA Plan is consistent with the applicable Consolidated Plan.
3. The PHA certifies that there has been no change, significant or otherwise, to the Capital Fund Program (and Capital Fund Program/Replacement Housing Factor) Annual Statement(s), since submission of its last approved Annual Plan. The Capital Fund Program Annual Statement/Annual Statement/Performance and Evaluation Report must be submitted annually even if there is no change.
4. The PHA has established a Resident Advisory Board or Boards, the membership of which represents the residents assisted by the PHA, consulted with this Board or Boards in developing the Plan, and considered the recommendations of the Board or Boards (24 CFR 903.13). The PHA has included in the Plan submission a copy of the recommendations made by the Resident Advisory Board or Boards and a description of the manner in which the Plan addresses these recommendations.
5. The PHA made the proposed Plan and all information relevant to the public hearing available for public inspection at least 45 days before the hearing, published a notice that a hearing would be held and conducted a hearing to discuss the Plan and invited public comment.
6. The PHA certifies that it will carry out the Plan in conformity with Title VI of the Civil Rights Act of 1964, the Fair Housing Act, section 504 of the Rehabilitation Act of 1973, and title II of the Americans with Disabilities Act of 1990.
7. The PHA will affirmatively further fair housing by examining their programs or proposed programs, identify any impediments to fair housing choice within those programs, address those impediments in a reasonable fashion in view of the resources available and work with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement and maintain records reflecting these analyses and actions.
8. For PHA Plan that includes a policy for site based waiting lists:
 - The PHA regularly submits required data to HUD's 50058 PIC/IMS Module in an accurate, complete and timely manner (as specified in PIH Notice 2006-24);
 - The system of site-based waiting lists provides for full disclosure to each applicant in the selection of the development in which to reside, including basic information about available sites; and an estimate of the period of time the applicant would likely have to wait to be admitted to units of different sizes and types at each site;
 - Adoption of site-based waiting list would not violate any court order or settlement agreement or be inconsistent with a pending complaint brought by HUD;
 - The PHA shall take reasonable measures to assure that such waiting list is consistent with affirmatively furthering fair housing;
 - The PHA provides for review of its site-based waiting list policy to determine if it is consistent with civil rights laws and certifications, as specified in 24 CFR part 903.7(c)(1).
9. The PHA will comply with the prohibitions against discrimination on the basis of age pursuant to the Age Discrimination Act of 1975.
10. The PHA will comply with the Architectural Barriers Act of 1968 and 24 CFR Part 41, Policies and Procedures for the Enforcement of Standards and Requirements for Accessibility by the Physically Handicapped.
11. The PHA will comply with the requirements of section 3 of the Housing and Urban Development Act of 1968, Employment Opportunities for Low-or Very-Low Income Persons, and with its implementing regulation at 24 CFR Part 135.

12. The PHA will comply with acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and implementing regulations at 49 CFR Part 24 as applicable.
13. The PHA will take appropriate affirmative action to award contracts to minority and women's business enterprises under 24 CFR 5.105(a).
14. The PHA will provide the responsible entity or HUD any documentation that the responsible entity or HUD needs to carry out its review under the National Environmental Policy Act and other related authorities in accordance with 24 CFR Part 58 or Part 50, respectively.
15. With respect to public housing the PHA will comply with Davis-Bacon or HUD determined wage rate requirements under Section 12 of the United States Housing Act of 1937 and the Contract Work Hours and Safety Standards Act.
16. The PHA will keep records in accordance with 24 CFR 85.20 and facilitate an effective audit to determine compliance with program requirements.
17. The PHA will comply with the Lead-Based Paint Poisoning Prevention Act, the Residential Lead-Based Paint Hazard Reduction Act of 1992, and 24 CFR Part 35.
18. The PHA will comply with the policies, guidelines, and requirements of OMB Circular No. A-87 (Cost Principles for State, Local and Indian Tribal Governments), 2 CFR Part 225, and 24 CFR Part 85 (Administrative Requirements for Grants and Cooperative Agreements to State, Local and Federally Recognized Indian Tribal Governments).
19. The PHA will undertake only activities and programs covered by the Plan in a manner consistent with its Plan and will utilize covered grant funds only for activities that are approvable under the regulations and included in its Plan.
20. All attachments to the Plan have been and will continue to be available at all times and all locations that the PHA Plan is available for public inspection. All required supporting documents have been made available for public inspection along with the Plan and additional requirements at the primary business office of the PHA and at all other times and locations identified by the PHA in its PHA Plan and will continue to be made available at least at the primary business office of the PHA.
21. The PHA provides assurance as part of this certification that:
 - (i) The Resident Advisory Board had an opportunity to review and comment on the changes to the policies and programs before implementation by the PHA;
 - (ii) The changes were duly approved by the PHA Board of Directors (or similar governing body); and
 - (iii) The revised policies and programs are available for review and inspection, at the principal office of the PHA during normal business hours.
22. The PHA certifies that it is in compliance with all applicable Federal statutory and regulatory requirements.

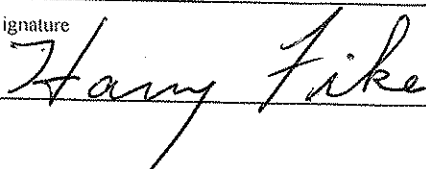
Fayette County Housing Authority
PHA Name

PA015
PHA Number/HA Code

X 5-Year PHA Plan for Fiscal Years 20 11 - 20 15

X Annual PHA Plan for Fiscal Years 20 11 - 20

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate. **Warning:** HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Name of Authorized Official	Title
Harry Fike	Chairman
Signature	Date
	4/14/11

Certification for a Drug-Free Workplace

U.S. Department of Housing
and Urban Development

Applicant Name

Fayette County Housing Authority

Program/Activity Receiving Federal Grant Funding

Capital Fund Program

Acting on behalf of the above named Applicant as its Authorized Official, I make the following certifications and agreements to the Department of Housing and Urban Development (HUD) regarding the sites listed below:

I certify that the above named Applicant will or will continue to provide a drug-free workplace by:

a. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the Applicant's workplace and specifying the actions that will be taken against employees for violation of such prohibition.

b. Establishing an on-going drug-free awareness program to inform employees ---

(1) The dangers of drug abuse in the workplace;

(2) The Applicant's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.

c. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph a.;

d. Notifying the employee in the statement required by paragraph a. that, as a condition of employment under the grant, the employee will ---

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

e. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph d.(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

f. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph d.(2), with respect to any employee who is so convicted ---

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

g. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs a. thru f.

2. **Sites for Work Performance.** The Applicant shall list (on separate pages) the site(s) for the performance of work done in connection with the HUD funding of the program/activity shown above; Place of Performance shall include the street address, city, county, State, and zip code. Identify each sheet with the Applicant name and address and the program/activity receiving grant funding.)

See attached list.

Check here ☐ if there are workplaces on file that are not identified on the attached sheets.

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate.

Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties.
(18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Name of Authorized Official

Thomas L. Harkless

Title

Executive Director

Signature

X *Thomas L. Harkless*

Date

April 14, 2011

**Fayette County Housing Authority
624 Pittsburgh Road
Uniontown, Pa. 15401
Capital Fund Program**

PA 15-1, Bierer Wood Acres, 1 Pershing Terrace, Uniontown, Fayette County, PA 15401
PA 15-2, Crossland Place, Uniontown, Fayette County, PA 15401
PA 15-3, Gibson Terrace, 151 Gibson Terrace, Connellsville, Fayette County, PA 15425
PA 15-5, South Hill Terrace, 100 South Hill Terrace, Brownsville, Fayette County, PA 15417
PA 15-6, Fort Mason Village, 17 Fort Mason Village, Masontown, Fayette County, PA 15461
PA 15-8, Marion Villa, Belle Vernon, Fayette County, PA 15012
PA 15-9, Snowden Terrace, 431 Clover Street, Brownsville, Fayette County, PA 15417
PA 15-10, East View Terrace, 92 Mifflin Avenue, Uniontown, Fayette County, PA 15401
PA 15-11, Mulligan Manor, 700 Second Street, Brownsville, Fayette County, PA 15417
PA 15-12, White Swan Apartments, 117 West Main Street, Uniontown, Fayette County, PA 15401
PA 15-13, Marshall Manor, 112 East Main Street, Uniontown, Fayette County, PA 15401
PA 15-15, Clarence Hess Terrace, Masontown, Fayette County, PA 15461
PA 15-16, Belle Vernon Apartments, 500 Blind Lane, Belle Vernon, Fayette County, PA 15012
PA 15-17, Sembower Terrace, Farragut & Dunlap Streets, Uniontown, Fayette County, PA 15401
PA 15-19, Fairchance Housing, Sheldon Ave. & Christy Lane, Fairchance, Fayette County, PA 15456
PA 15-22, Scattered Sites, Uniontown, Fayette County, PA 15401
PA 15-24, Lemont Heights, 124 High Street, Lemont Furnace, Fayette County, PA 15401
PA 15-26, Outcrop I, 135 Mark Drive, Smithfield, Fayette County, PA 15478
PA 15-31, Outcrop II, 1600 Outcrop Road, Smithfield, Fayette County, PA 15478

DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352

(See reverse for public burden disclosure.)

Approved by OMB

0348-0046

1. Type of Federal Action: <input checked="" type="checkbox"/> a. contract <input type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance		2. Status of Federal Action: <input type="checkbox"/> a. bid/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award		3. Report Type: <input type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change For Material Change Only: year _____ quarter _____ date of last report _____	
4. Name and Address of Reporting Entity: <input checked="" type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, if known: Fayette County Housing Authority 624 Pittsburgh Road Uniontown, PA 15401 Congressional District, if known: 4c 12 & 20PA			5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime: N/A Congressional District, if known:		
6. Federal Department/Agency: U.S. Department of Housing and Urban Development			7. Federal Program Name/Description: CFDA Number, if applicable: 14.872		
8. Federal Action Number, if known:			9. Award Amount, if known: \$		
10. a. Name and Address of Lobbying Registrant (if individual, last name, first name, MI): N/A			b. Individuals Performing Services (including address if different from No. 10a) (last name, first name, MI): N/A		
11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.			Signature: <u>Thomas L. Harkless</u> Print Name: <u>Thomas L. Harkless</u> Title: <u>Executive Director</u> Telephone No.: <u>724-434-2100</u> Date: <u>4/14/11</u>		
Federal Use Only:					Authorized for Local Reproduction Standard Form LLL (Rev. 7-97)

Certification of Payments to Influence Federal Transactions

U.S. Department of Housing
and Urban Development
Office of Public and Indian Housing

Applicant Name

Fayette County Housing Authority

Program/Activity Receiving Federal Grant Funding

Capital Fund Program

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, Disclosure Form to Report Lobbying, in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate.

Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties.
(18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Name of Authorized Official

Thomas L. Harkless

Title

Executive Director

Signature

Date (mm/dd/yyyy)

04/14/11

PROOF OF PUBLICATION

The HERALD-STANDARD, established in 1907, a newspaper of general circulation,
published by Uniontown Newspapers, Inc, a Pennsylvania corporation, 8 East Church
Street, Uniontown, Fayette County, Pennsylvania, and has been issued regularly, except
legal holidays, since said date.

The attached advertisement, which is exactly as printed and published, was published
in the regular issues of said newspapers, on 2/21/2011

The costs of advertising and proof, \$123.22

Uniontown Newspaper, Inc.

By: Vicki Lee Reese

NOTICE OF
PUBLIC HEARING
The Fayette County
Housing Authority, in
accordance with the re-
quirements of the Quali-
ty Housing and Work
Responsibility Act of
1998, will conduct a pub-
lic hearing to review the
contents of its proposed
Five (5) Year and Annu-
al Plan for the period
2011 through 2015, as
well as the Capital Fund
Program Performance
and Evaluation Submis-
sion. The hearing will
be held at 9:00 a.m. on
Thursday, April 14, 2011
at the Administrative
Office located at 624
Pittsburgh Road, Union-
town, PA 15401. A copy
of the draft Plan and
Performance and Evalu-
ation Submission is
available for review at
the Administration Of-
fice and all site offices
prior to the public hear-
ing. All interested par-
ties are encouraged to
attend. For more infor-
mation on the Five (5)
Year and Annual Plan,
the Capital Fund Pro-
gram Performance and
Evaluation submission
for the public hearing,
contact Andre Walters,
Director of Funding and
Asset Planning at 724-
434-2129.

STATE OF PENNSYLVANIA, }
COUNTY OF FAYETTE, } SS:

Before me, a Notary Public in and for such county and state, personally appeared
RICHARD KEVIN KING, who being duly sworn according to law says that he is
CONTROLLER of UNIONTOWN NEWSPAPERS, INC.; that neither affiant
nor said corporation is interested in the subject matter of the attached advertisement;
and that all of the allegations of the foregoing statement including those as to the time,
place and character of publication are true.

Sworn to and subscribed before me
this 23rd day of February 2011

Vicki Lee Reese } Richard Kevin King

Herald Standard

P.O. Box 848

UNIONTOWN, PA. 15401-0848

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal

Vicki Lee Reese, Notary Public

Menallen Twp., Fayette County

My Commission Expires Oct. 31, 2014

Member, Pennsylvania Association of Notaries

List of Attachments

pa015a000	Annual Plan
pa015a001	Annual Statement
pa015a002	5 Year Plan
pa015a003	P & E Reports
pa015a004	Goals an Objectives
pa015a005	Demolition and Disposition
pa015a006	Statement of Housing Needs
pa015a007	Significant Amendment and Substantial Deviation / Modification
pa015a008	Waiting List Procedures – Public Housing
pa015a009	Waiting List Procedures – Section 8
pa015a010	Financial Resources
pa015a011	Rent Determinations – Public Housing
pa015a012	Rent Determinations – Section 8
pa015a013	Operation & Management
pa015a014	Grievance Procedures
pa015a015	Designation of Housing for the Elderly
pa015a016	Safety & Community Service
pa015a017	Pet Policy
pa015a018	Audit
pa015a019	Asset Management
pa015a020	Violence Against Women Act
pa015a021	RAB Meeting
pa015a022	Ceritifications
pa015a023	List of Attachments